

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, a quorum is present.

Mr. McNARY. I move that proceedings under the call be vacated.

The motion was agreed to.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, December 20, 1932, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, DECEMBER 19, 1932

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we are grateful to Thee that we are the children of a most bountiful Heavenly Father. That name never loses its love and serene care which forever bends over us. It has long since been hallowed in the sufferings and sacrifice of Mary's Holy Child. We thank Thee for this blessed assurance, which equally embraces the tear and the star. As men, as citizens, as friends, and as neighbors may we meet every emergency with a radiant temper and with a fine intellectual strength. Oh, bless our country with whatever it needs of comfort, of security, of augmented wealth, and of expanding knowledge. Wherever poverty is leaving its stinging curse, oh, redeem and send relief. Amen.

The Journal of the proceedings of Saturday, December 17, 1932, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7233. An act to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes.

STATEMENT BY THE SPEAKER

The SPEAKER. This is Consent Calendar and suspension day.

The Chair wishes to make a statement regarding suspensions, so the House will have an opportunity to examine the bills that will be called up under suspension. Unless some urgent reason is offered for not doing so, the Chair, about 2.30 or 3 o'clock, will recognize the gentleman from Texas [Mr. JONES] to call up the Red Cross bill, providing additional cotton for the Red Cross; and if we are through with that in time, the Chair will recognize the gentleman from Tennessee [Mr. McREYNOLDS] to call up the bill authorizing payment to the Mexican Government for the families of Emilio Rubio and Manuel Gomez.

The Chair understands these bills have been unanimously reported from the Committee on Agriculture and the Committee on Foreign Affairs, respectively, and those committees have asked their chairmen to request such recognition.

The Clerk will call the first bill on the calendar.

CONSERVATION OF WILD LIFE, FISH, AND GAME

The first business on the Consent Calendar was the bill (S. 263) to promote the conservation of wild life, fish, and game, and for other purposes.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, when this bill was before the House I asked concerning the provisions of section 1, which I believe is very far-reaching. At that time I suggested that I would move to strike out section 1. In the meantime I received a communication from the clerk, I assume, of the subcommittee on the conservation of wild-life resources, of the Senate,

in which he states that the striking out of section 1 would be satisfactory.

Now, I simply want to serve notice that if the bill is called up I shall make that a condition, because otherwise I fear section 1 is too broad and far-reaching to leave in this manner.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. PATTERSON. I do not see the gentleman from Texas [Mr. JONES] on the floor. I wish the gentleman would withhold his objection until the gentleman from Texas is here.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TO SUPPLEMENT THE NATURALIZATION LAWS

The next business on the Consent Calendar was the bill (H. R. 10274) to amend the act approved March 2, 1929, entitled "An act to supplement the naturalization laws, and for other purposes" (45 Stat. 1512).

Mr. JENKINS. Mr. Speaker, reserving the right to object, I would ask unanimous consent that this bill pass over.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I ask the gentleman to state the reason for his request so we can consider his objections in the meantime?

Mr. DICKSTEIN. This bill has been passed over several times. I hope the gentleman will withhold his request. I should like to know if there is any amendment he wants. We would be glad to consider it. This bill has been on the calendar several times.

Mr. JENKINS. The bill ought to be objected to. The reason I ask that it be passed over without prejudice was out of consideration for my chairman. Otherwise, I shall have to object to it.

I called up the Secretary of Labor, Naturalization Department, this morning, and Mr. Crist tells me there is a similar bill pending in the Senate which is much preferable, and he indicated that our chairman, the distinguished gentleman from New York, would probably prefer that the matter go over for a little while.

Mr. DICKSTEIN. That is agreeable.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MODIFICATION OF TERMS OF CERTAIN INDIAN CONTRACTS

The next business on the Consent Calendar was the bill (H. R. 6684) to amend the act of June 25, 1910, entitled "An act to provide for determining the heirs of deceased Indians, for the disposal and sale of allotments of deceased Indians, for the lease of allotments, and for other purposes," so as to authorize the Secretary of the Interior to modify the terms of certain contracts, when in his judgment it is in the interest of the Indians so to do.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I studied this bill when it was first on the calendar and have thought about it a great deal since.

It seems to me it is not to the best interests of the Indians to modify existing contracts, particularly if it is simply a matter of the price. I believe the price of lumber has gone up since the enactment of the last revenue bill. If it has not, it is because there is no market for lumber. It would be manifestly unfair to modify a contract in a period when there is no market for lumber, to the detriment of the Indians when the market picks up.

Mr. LEAVITT. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. LEAVITT. Of course, the price of lumber has not gone up materially.

Mr. LAGUARDIA. That is on account of market conditions.

Mr. LEAVITT. And the Indians now unquestionably support this. During the summer they held a council on the Klamath Reservation, where most of these cases exist, and passed a very definite resolution.

I have talked with the chairman of their board, Wade Crawford, who is in Washington at this time. It is a very definite resolution asking for the enactment of this bill. They have one or two amendments which would provide for further conference with the Indians before certain changes could be made in timber-sale contracts by the Secretary.

Mr. LAGUARDIA. Does not the gentleman think it had better go over.

Mr. LEAVITT. Of course, if the gentleman insists we will have to let it go over.

Mr. LAGUARDIA. And in the meantime we can study the proposed amendments.

Mr. STAFFORD. In that connection, Mr. Speaker, I ask unanimous consent that the gentleman may have unanimous consent to insert the proposed amendments in the RECORD so the Members of the House may have the benefit of them.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The amendment referred to is as follows:

Page —, line 4, after the word "purchasers," insert the words "and Indians," so that the section would read:

"That the Secretary of the Interior, with the consent of the Indians involved, expressed through a regularly called tribal council, and of the purchasers, may modify the terms of any now existing and uncompleted contract of sale of Indian tribal timber, if in his judgment it is in the interests of the Indians to do so: *Provided*, That the prices are not reduced below the basic sale prices: *Provided further*, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under all the terms of said contract as modified or suffer forfeiture of such contract and collection upon his bond: *And provided further*, That in the event of sufficiently improved economic conditions the Secretary of the Interior is authorized, after consultation with the purchasers and Indians and after 90 days' notice to them, to increase stumpage prices of timber reduced in any such modified contract, but in no event to a point higher than it was stipulated in the contract as it existed before such modification."

Another amendment asked by lumbermen not holders of contracts reads as follows:

At the end of the bill add:

"Sec. 4. The Secretary of the Interior is further authorized in his discretion to modify any of said existing contracts with respect to the amount of timber to be removed and paid for by the purchaser under the terms of the respective contracts, during a period of three years after the enactment of this act."

The SPEAKER. Is there objection to passing the bill over without prejudice?

There was no objection.

RETIRED STATUS OF CERTAIN ARMY OFFICERS

The next business on the Consent Calendar was the bill (H. R. 11174) to restore to their former retired status in the Regular Army of the United States persons who resigned such status to accept the benefits of the act of May 24, 1928 (45 Stat. 735), and for other purposes.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, when this bill was before the House previously, I then stated the matter was pending in the courts. As the bill is drawn, there is a possibility of these commissioned officers or warrant officers receiving two compensations. I have drafted an amendment, after consultation with the Office of the Comptroller General; and I would state that if the bill is coming up, I shall offer this amendment. I will be glad to read it into the RECORD for the information of the Members and then ask to have the bill passed over.

Mr. JENKINS. Will the gentleman yield?

Mr. LAGUARDIA. May I first read my proposed amendment?

Mr. STAFFORD. If the gentleman will yield in that particular, this bill was drafted by the War Department after a bill of similar import was under consideration by the Com-

mittee on Military Affairs. Of course, the Comptroller General may have some suggestions to make, and I think it would be agreeable to have them.

Mr. LAGUARDIA. Mr. Speaker, may I be permitted to read the proposed amendment, and then I shall ask to have the bill go over without prejudice?

The amendment would be on page 2, line 15, as follows:

Strike out the period, insert a colon, and add the following: "*Provided further*, That nothing in this act shall be construed to entitle any former emergency officer, retired under the act of May 24, 1928, to retired pay from the Veterans' Administration in a greater amount than, when added to the retired or retainer pay received from the Army, Navy, or Marine Corps, shall equal 75 per cent of the pay the former emergency officer was entitled to receive (except pay under the act of May 18, 1920) when discharged from his commissioned service as a World War emergency officer."

The SPEAKER. Is there objection to the bill's going over without prejudice?

There was no objection.

TAX LAWS OF NEVADA AND ARIZONA TO APPLY TO BOULDER DAM

The next business on the Consent Calendar was the bill (H. R. 11945) to provide that tax laws of Nevada and Arizona shall apply to construction and reserved areas at Boulder Dam.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, and I expect to object, on this bill I inserted in the RECORD of June 6, 1932, a letter from the Secretary of the Interior to our colleague the gentleman from North Dakota [Mr. HALL], which is self-explanatory. I, therefore, think the bill should go off the calendar, and I object.

Mr. STAFFORD, Mr. UNDERHILL, Mr. BLANTON, and Mr. JENKINS also objected.

CONSTRUCTION CHARGES ON INDIAN IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (S. 3675) relating to the deferment and adjustment of construction charges for the years 1931 and 1932 on Indian irrigation projects.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this bill was referred to in debate on Friday when an amendment was under consideration to the Interior Department appropriation bill. Would the gentleman have any objection to having this bill go over without prejudice? I gave it some careful consideration on yesterday.

Mr. LEAVITT. Of course, I would prefer to have it passed; but if the gentleman wants to study it further, I can not object.

Mr. STAFFORD. I want to take it up privately with the gentleman with respect to some of its provisions.

I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CLAIMS OF WISCONSIN INDIANS

The next business on the Consent Calendar was the joint resolution (S. J. Res. 125) authorizing the attorney general of Wisconsin to examine Government records in relation to claims of Wisconsin Indians.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this joint resolution has been the subject of a great deal of discussion; and taking the suggestion of the gentleman from Wisconsin [Mr. STAFFORD], I have prepared an amendment which puts the discretion in the Secretary of the Interior instead of giving the absolute right to the attorney general.

Mr. STAFFORD. Perhaps it is of the same import as the amendment I suggested when the joint resolution was last under consideration, and may I read my amendment to see whether it covers the same ground as the proposed amendment of the gentleman from New York?

Mr. BLANTON. Will the gentleman yield? Does the gentleman think it is a wise policy to consider any bill of this character?

Mr. LAGUARDIA. This only gives access to the records.

Mr. BLANTON. Have they not reasonable access now?

Mr. STAFFORD. They have not.

Mr. BLANTON. I doubt whether it is wise to give any attorney general of any State the authority to snoop around Washington.

Mr. JENKINS. Is it not true that you are giving the attorney general here a special permit. If it is not a special permit, why this joint resolution?

Mr. BLANTON. I object to the joint resolution.

Mr. UNDERHILL and Mr. JENKINS also objected.

CHELAN NATIONAL FOREST

The next business on the Consent Calendar was the bill (S. 3711) to authorize the adjustment of the boundaries of the Chelan National Forest in the State of Washington, and for other purposes.

The SPEAKER pro tempore (Mr. WOODRUM). Is there objection?

Mr. BLANTON. I object.

Mr. STAFFORD and Mr. COCHRAN of Missouri also objected.

CRATER LAKE NATIONAL PARK

The next business on the Consent Calendar was the bill (S. 4070) to authorize the acquisition of a certain building, furniture, and equipment in the Crater Lake National Park.

The SPEAKER pro tempore. Is there objection?

Mr. LA GUARDIA. I objected to the bill before, and I object now.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice, as the gentleman from Oregon [Mr. BUTLER] is ill.

The SPEAKER pro tempore. Is there objection to its going over without prejudice?

There was no objection.

TRANSFER OF WIDOW'S ISLAND, ME.

The next business on the Consent Calendar was the bill (H. R. 5642) to authorize and direct the transfer of Widow's Island, Me., by the Secretary of the Navy to the Secretary of Agriculture for administration as a migratory-bird refuge.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. There is no report here from the Navy Department on this bill. Why not?

Mr. NELSON of Maine. The Navy has marked this for abandonment. It is a little, small island and the buildings on it are tumbling down. The Department of Agriculture now asks for it as a bird refuge.

Mr. BLANTON. But there should be a report from the Navy Department.

Mr. NELSON of Maine. The report of the Secretary of Agriculture shows that the Navy has marked it for abandonment.

Mr. BLANTON. The Department of Agriculture can not speak for the Navy Department.

Mr. JENKINS. I have a notation here that the Navy Department has marked it for abandonment.

Mr. BLANTON. Until there is a report from the Navy Department, I object.

The SPEAKER pro tempore. It takes three objections. The Clerk will report the Senate bill.

The Clerk read the bill, as follows:

S. 1863

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and directed to transfer to the Secretary of Agriculture all of Widow's Island, located in latitude 44° 7' 48" N., and longitude 68° 49' 54" W., about 2¼ miles east of North Haven, Me., in Fox Island Thoroughfare, and about one-fourth mile south of Goose Rocks Light in the State of Maine, containing 12 acres more or less, together with all improvements thereon, to be maintained and administered as a migratory-bird refuge; and the Secretary of Agriculture is authorized to remove or dispose of as surplus property any buildings thereon, which in his opinion are not necessary for said refuge uses.

Section 10 of the act of June 27, 1926 (Public, No. 345, 69th Cong.; 44 Stat. 700), is hereby repealed.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word for the purpose of ascertaining whether the Senate bill is identical in phraseology with the House bill. I find there is an added paragraph in the Senate bill. In the

Senate bill there is a paragraph repealing certain provisions of law. Perhaps the gentleman from Maine [Mr. NELSON] can inform the House what those provisions are. They are not referred to in the report. It says:

Section 10 of the act of June 27, 1926, is hereby repealed.

Can the gentleman inform the House what that section refers to?

Mr. NELSON of Maine. This is not a matter in my district, but at the last of the last session, as I remember it, an act was passed allowing this to be turned over to the State of Maine, with some idea that it might be used as a summer resort for the insane of the State insane asylum. The State does not care to take it over. I am pretty sure that that sets aside the law whereby it might be transferred to the State.

Mr. STAFFORD. The law sought to be repealed confirms my former position that this property should be transferred outright to the State, to allow the State to use it for such purpose as it saw fit. Then Congress previously granted authority to the State of Maine for that purpose?

Mr. NELSON of Maine. Yes; but now the Department of Agriculture wants it, and the State is ready to surrender any of its rights. This bill deprives Maine of its former right.

Mr. LA GUARDIA. Mr. Speaker, will the gentleman from Wisconsin yield to me for a moment—

Mr. STAFFORD. Yes.

Mr. LA GUARDIA. In order to ask the gentleman from Maine [Mr. NELSON] if there are any shooting clubs in the immediate vicinity of this island? We have had that sad experience in one instance, though not in the gentleman's vicinity.

Mr. NELSON of Maine. This island just now is shot over by hunters, but this bill makes of the island a bird refuge.

Mr. LA GUARDIA. Are there any shooting preserves immediately adjoining or near by?

Mr. NELSON of Maine. I know of none. This is away out at sea, out beyond North Haven.

The pro forma objection was withdrawn, and the bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

COLVILLE NATIONAL FOREST, WASH.

The next business on the Consent Calendar was the bill (H. R. 9440) to authorize the adjustment of the boundaries of the Colville National Forest, in the State of Washington, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. This bill involves 560,000 acres in the State of Washington. I have this notation that I have received at my office respecting public lands in the State of Washington and in the State of Oregon, and this comes from a Member of Congress, whose name I shall not mention. He says:

The Commissioner of the General Land Office advises me that public land in the State of Oregon and the State of Washington is being assessed as high as \$100 per acre for the purpose of causing the Treasury to pay money direct to counties where the land is located. I don't believe half a dozen Members of Congress know the purport of the bill that was quietly maneuvered through Congress that made this possible.

Mr. COCHRAN of Missouri. Oh, we have been discussing that for the last two or three days on the Interior Department appropriation bill which has been under consideration. The money is appropriated there to pay the State of Oregon and the State of Washington certain taxes for Government land. The gentleman from Oklahoma [Mr. McCLINTIC] made half a dozen speeches in the last five years on the floor of the House about the appropriation.

Mr. BLANTON. Are we going to continue to pass these bills by unanimous consent involving as many as 500,000 acres of public lands?

Mr. HILL of Washington. This land in this bill is not within the purview of the letter the gentleman has read.

Mr. BLANTON. No; but it might become so.

Mr. HILL of Washington. This is public land.

Mr. BLANTON. This particular bill now before the House, which is to be passed by unanimous consent, would permit 560,000 acres of public land to be exchanged with individuals for their private holdings within 4 miles of our forest reserve.

Mr. HILL of Washington. It permits the exchange on a valued basis of timber for land outside of the forest.

Mr. BLANTON. Does the gentleman believe that in all of these exchanges the Government side of it is always protected?

Mr. HILL of Washington. Absolutely, and the history will bear that out.

Mr. BLANTON. It would be surprising if it were. The Government usually gets the worst of it in all exchanges.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object.

Mr. BLANTON. I object.

Mr. COLLINS. I object.

Mr. STAFFORD. I object. The reason for my objection is that the lands, as the report shows, are largely suitable for grazing purposes.

The SPEAKER pro tempore. The Clerk will report the next bill.

NATIONAL GUARD CAMP SITE, SOUTH DAKOTA

The next business on the Consent Calendar was the bill (H. R. 487) to authorize an appropriation for the purchase of land in South Dakota for use as camp sites or rifle ranges for the National Guard of said State.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I reserve the right to object. My notations indicate that suitable property can be secured at a rental of \$640 a year. It would take 21 years at that rental to equal the purchase price of this property.

Mr. WILLIAMSON. The point about this bill is that every State in the Union was given an allocation out of the \$2,000,000 first appropriated in 1909 for the purpose of buying rifle ranges, camp sites, and so forth, for their National Guard units. From the standpoint of economy an investment of \$14,000, which already rightfully belongs to South Dakota, certainly can not be complained of. At any rate the camp site will only cost \$8,000, which at 4 per cent amounts to only \$320. The balance of the money would be used for improvements. We are now paying \$640 for the site.

The South Dakota camp site was found to be not suitable for the purpose. You will recall that under the national defense act of 1916, Congress authorized camp sites to be sold when found "unavailable," and provided that the funds received should be placed to the credit of the State, Territory, or District where the camp site was located. Through an error in the Treasury Department, instead of crediting the proceeds to the State of South Dakota, they were credited to the general fund, and for that reason never became available for the purpose intended.

Mr. COLLINS. Mr. Speaker, I did not understand what the gentleman said.

Mr. WILLIAMSON. Every other State in the Union got an allocation from this fund, has drawn its money out and retains it. The State of South Dakota drew out its money and put it into this camp site. It was found to be unsuitable, and for that reason was sold for approximately \$14,000. Under the law that money should have been placed to the credit of the State. Instead of doing that, the department, through an error, placed it to the credit of the general fund. It now requires an authorization to get it out so that it can be placed to the credit of the State where it belongs.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. COLLINS, Mr. McCLINTIC of Oklahoma, and Mr. HAINES objected.

BRIDGE ACROSS MISSISSIPPI RIVER BETWEEN CHEROKEE AND OSAGE STREETS, ST. LOUIS, MO.

The next business on the Consent Calendar was the bill (H. R. 9265) to extend the times for commencing and com-

pleting the construction of a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER pro tempore. Three objections are required. The Chair hears no further objection. The Clerk will report the bill.

Mr. PATTERSON. Mr. Speaker, is this a bridge bill?

The SPEAKER pro tempore. It is.

Mr. PATTERSON. Mr. Speaker, I object.

The SPEAKER pro tempore. Only two objections are heard. The Clerk will report the bill.

Mr. JENKINS. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman is too late. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo., and a point opposite thereto in St. Clair County, Ill., authorized to be built by H. C. Brenner Realty & Finance Corporation, by an act of Congress approved February 13, 1931, are hereby extended one and three years, respectively, from February 13, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. LAGUARDIA. Mr. Speaker, I move to strike out the enacting clause.

I want to call the attention of the House, Mr. Speaker, to this bill. If the House wants to pass the bill after hearing the facts, at least it has the information before it.

This is a bill for an extension of time to construct a bridge, and the Secretary of Agriculture, acting upon a report from the Bureau of Roads, states:

When the original bill to authorize the construction of this bridge by the H. C. Brenner Realty & Finance Corporation was pending this department submitted an adverse report thereon, stating that if an additional bridge across the Mississippi River at this point is needed a publicly owned bridge could be constructed and financed from the tolls and be made free in a much shorter time than will be possible under any plan for a private toll bridge.

Now, gentlemen, the permittees, the H. C. Brenner Realty & Finance Corporation, in a letter dated December 6, 1932, made this astounding admission:

In St. Louis, less for 150 miles to the south, we have no vehicular traffic plus railroad bridges. However, this very point has four United States highways brought to its very door, while the entire northern section of the city has but one.

In other words, there are four United States highways that converge at this point, and here is a real-estate company and a finance company coming to Congress asking for permission to build a bridge at this point and exact tolls from traffic on Federal highways. It could not finance the bridge in the time given by Congress, and here is a request for another extension, thereby monopolizing any public construction of a bridge at this point during the period of extension.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. COCHRAN of Missouri. This bill was originally passed over my objection. Mr. Brenner came to see me while I was home. That was the first time I ever met him. I told him I would not assist him in getting any extension of time. The bridge is not needed. We have a city bridge there, and it is a free bridge, but due to the situation in St. Louis, with 125,000 people out of employment, we are now charging a toll of 10 cents and using that for relief purposes. These men can not finance this bridge, and the time should not be extended. If a bridge was needed, it would have been constructed years ago. I can show the merchants in this vicinity that a bridge will not bring them any additional business.

Mr. DYER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. DYER. Of course, on the question of financing, conditions have not been such as to enable anybody to finance anything like this in recent times.

Mr. LA GUARDIA. That is why we should not extend the time and give anyone a monopoly or complete control of the situation. I hope the gentleman will prevail upon his colleagues to get enough votes to defeat this bill.

Mr. COCHRAN of Missouri. My colleague [Mr. NIEDRINGHAUS] introduced this bill because this is in his district and because he was requested to do so by hundreds of citizens in that locality. He is unable to be here this morning. I can not stand here and object to bridge bills in various parts of the country and let one pass without objection from my own city when I know the bridge is not needed and would not pay.

Mr. LA GUARDIA. There is no criticism of him.

Mr. DYER. But if the gentleman will permit, a bill was passed, and evidently no serious objection was raised to it at the time.

Mr. LA GUARDIA. Oh, yes, there was.

Mr. DYER. This is a peculiar way to repeal an act of Congress, when an extension is granted.

Mr. LA GUARDIA. No extension has been granted. Well, let the RECORD show there was an adverse report from the Bureau of Roads. The gentleman from Missouri [Mr. COCHRAN] objected to it, and we objected to it. It got by the objection stage, and, if I remember correctly, in one of the last days of the session the bill was passed. Now, this is the time to knock it, and we ought to do so.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to strike out the enacting clause.

The motion was agreed to. So the enacting clause was stricken.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR HELENA, ARK.

The next business on the Consent Calendar was the bill (H. R. 12316) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Helena, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA, Mr. PATTERSON, and Mr. COCHRAN of Missouri objected.

ESTABLISHMENT OF RESEARCH LABORATORY FOR UTILIZING COTTON, COTTON HULLS, SEEDS, LINTERS, AND WASTE FARM PRODUCTS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 352) authorizing and directing the Secretary of Agriculture to request allocation of funds; also to establish a research laboratory for utilizing cotton, cotton hulls, seeds, linters, and waste farm products.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. JENKINS. Mr. Speaker, I object.

ADVANCES TO PRODUCERS OF LIVESTOCK AND TO DAIRY FARMERS UNDER THE RECONSTRUCTION FINANCE CORPORATION ACT

The next business on the Consent Calendar was the bill (H. R. 10673) to provide that advances under the Reconstruction Finance Corporation act may be made to producers of livestock and to dairy farmers.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, was not a similar bill passed and vetoed by the President?

Mr. STAFFORD. A bill of similar import has already passed Congress. The provisions of this bill were incorporated, if my memory serves me right, in that general bill amending the Reconstruction Finance Corporation act.

Mr. Speaker, I ask unanimous consent to have this bill passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LIGHTER SERVICE

The next business on the Consent Calendar was the bill (S. 2883) prescribing regulations for carrying on the business of lighter service from any of the ports of the United States to stationary ships or barges located offshore, and for the purpose of promoting the safety of navigation.

Mr. BLACK, Mr. FITZPATRICK, and Mr. CONDON objected.

FINAL ENROLLMENT KLAMATH INDIANS

The next business on the Consent Calendar was the bill (S. 2671) providing for the final enrollment of the Indians of the Klamath Indian Reservation, in the State of Oregon.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TRIBAL AGREEMENTS, ENROLLED INDIANS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 409) to carry out certain obligations to certain enrolled Indians under tribal agreements.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I labored on this bill yesterday quite a while. I wish to offer an amendment which I would suggest, although, of course, I will abide by the better judgment of the gentleman from Oklahoma on these questions, because I know he has the real interest of the Indians at heart.

I drew an amendment something like this to put at the end of the bill:

Provided further, That it shall be unlawful for any person acting as attorney or agent for any claimant to receive more than a total of 3 per cent of the amount collected under the provisions of this act; and any person collecting a total amount from such claimant in excess of said 3 per cent shall be guilty of a misdemeanor and punished by a fine of not exceeding \$1,000, or imprisonment not exceeding six months, or both.

Now, I may say to the gentleman from Oklahoma that if these Indians are entitled to their interest—and I think they are—we do not want it to be all eaten up by counsel fees.

Mr. HASTINGS. If the gentleman will permit, I have no objection to a limitation, but does not the gentleman think 3 per cent of the interest rather small?

Mr. LA GUARDIA. Does the gentleman wish to make it 5 per cent?

Mr. HASTINGS. I would suggest 5 per cent.

Mr. STAFFORD. Mr. Speaker, I would like to have this bill go over without prejudice. I have not had an opportunity to examine the various decisions affecting it.

Mr. HASTINGS. Will the gentleman withhold his request while I make a brief explanation?

Mr. STAFFORD. It is referred to in the letter of the commissioner. I have read the letter, but I have not had time to examine the many decisions referred to. I understand these Indians have heretofore been granted the right to have their income taxes deducted by the amount of the refunds, and having that privilege now they want to have interest besides, an exceptional occurrence, indeed.

Mr. HASTINGS. Let me explain the matter to the gentleman from Wisconsin. These are restricted Indians, and in most of these cases the Government itself, through its agents, erroneously deducted the income tax from funds held by the Government and paid it. That was at a time when there was a doubt in the minds of the officials as to whether or not the income tax was payable. Later on, and after the time expired within which claims could be filed, it was determined by the courts in the cases cited that they were not subject to income tax.

Finally, Congress allowed them to file claims for the refund of the taxes, but they did not allow them, like they would a white man, to file a claim for interest on the amounts refunded. That is all this resolution does. It places the

restricted Indians exactly upon the same footing with white men.

Mr. STAFFORD. It is with the idea of examining the matter more closely that I ask that it go over without prejudice.

Mr. LaGUARDIA. The gentleman must add that if they had the right to obtain this interest some of them did not know about it, and this is for the purpose of enabling them to assert their rights.

Mr. HASTINGS. Of course, these are restricted Indians. A great many of them are non-English-speaking Indians.

Mr. JENKINS. In other words, this just relieves them of the operation of the statute of limitations?

Mr. HASTINGS. That is all.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

WAR-RISK INSURANCE

The next business on the Consent Calendar was the bill (H. R. 11676) providing for the appointment of a commissioner to hear cases arising under contracts of war-risk insurance in the District Courts for the Eastern and Western Districts of South Carolina.

Mr. LaGUARDIA. Mr. Speaker, I reserve the right to object in order that I may ask the author of the bill a question. This bill, as the gentleman knows, has attracted a great deal of discussion.

Mr. STAFFORD. Favorable or unfavorable?

Mr. LaGUARDIA. Unfavorable. The distinguished gentleman from South Carolina has given this matter a great deal of thought and study. I want to say that if the bill gets beyond the objection stage I shall take the floor in opposition to it and shall move to strike out the enacting clause so that we can get the decision of the House, because I fear that there may be a great deal of misapprehension if this bill is stopped by objection. I believe it ought to receive a vote of this House, because it is so far-reaching, so dangerous, and so unusual. I believe it ought to be discussed and then the House should decide the matter.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. DYER. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. JENKINS, Mr. STAFFORD, and Mr. LAMNECK objected.

CONSERVATION OF OIL AND GAS

The next business on the Consent Calendar was the bill (H. R. 12076) for the conservation of oil and gas and protection of American sources thereof from injury, correlation of domestic and foreign production, and consenting to an interstate compact for such purposes.

Mr. MONTAGUE, Mr. MILLIGAN, Mr. BLANTON, and Mr. CLARKE of New York objected.

BOISE NATIONAL FOREST

The next business on the Consent Calendar was the bill (H. R. 413) to add certain lands to the Boise National Forest.

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, is this bill similar to the ones objected to a few minutes ago?

Mr. BLANTON. Yes.

Mr. COCHRAN of Missouri. Then I object.

Mr. BLANTON, Mr. STAFFORD, and Mr. COCHRAN of Missouri objected.

GUNNISON NATIONAL FOREST

The next business on the Consent Calendar was the bill (H. R. 12126) to add certain lands to the Gunnison National Forest, Colo.

Mr. COCHRAN of Missouri, Mr. BLANTON, and Mr. BALDRIDGE objected.

NATIONAL FORESTS IN OREGON

The next business on the Consent Calendar was the bill S. 763, an act to extend the provisions of the forest exchange

act to lands adjacent to the national forests in the State of Oregon.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OF JUDICIAL CODE

The next business on the Consent Calendar was the bill (H. R. 4624) to amend the Judicial Code by adding a new section to be numbered 274D.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Judicial Code, approved March 3, 1911, is hereby amended by adding after section 274C thereof a new section to be numbered 274D, as follows:

"Sec. 274D. (1) In cases of actual controversy the courts of the United States shall have power upon petition, declaration, complaint, or other appropriate pleadings to declare rights and other legal relations of any interested party petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

"(2) Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party, whose rights have been adjudicated by the declaration, to show cause why further relief should not be granted forthwith.

"(3) When a declaration of right or the granting of further relief based thereon shall involve the determination of issues of fact triable by a jury, such issues may be submitted to a jury in the form of interrogatories, with proper instructions by the court, whether a general verdict be required or not."

Mr. DYER. Mr. Speaker, I move to strike out the last word.

I do not think a bill of this kind should be passed without some explanation of what it contains. I would like to yield to the gentleman from Virginia [Mr. MONTAGUE] or to the chairman of the Judiciary Committee [Mr. SUMNERS] to make a statement as to what is the purpose and object of the bill.

Mr. LaGUARDIA. I will be pleased to give the gentleman an outline of it.

Mr. DYER. I thought the author of the bill ought to make some statement, but if he does not want to do so, I shall not insist. I am satisfied with the legislation, myself.

Mr. STAFFORD. Mr. Speaker, I think it is due the House on a measure of this importance, to have a brief statement as to the purpose of the bill.

Mr. BLACK. Regular order, Mr. Speaker.

Mr. STAFFORD. I rise in opposition to the pro forma amendment, which is the regular order, I may say to the gentleman from New York.

Mr. SUMNERS of Texas rose.

Mr. STAFFORD. I yield to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, complying with the request of the gentleman from Missouri, very briefly, the purpose of this bill is to permit persons who hold contrary positions with regard to contracts, and so forth, who see that they are approaching the possibilities of litigation if they proceed with the contract, to submit in advance the issue and have it determined.

I will give you briefly an illustration. Suppose there is a contract to erect a building and there is a difference of opinion between the contractor and the party who lets the contract. Instead of waiting until the building is constructed to determine the construction of the contract this bill, if enacted into law, makes it possible for these persons to state the differences between them and have that difference adjudicated before the building is erected.

The bill was carefully examined by the Judiciary Committee, and so far as I recall it is a unanimous report.

Mr. JENKINS. What does the American Bar Association say about it?

Mr. SUMNERS of Texas. I do not know. Sometimes the Judiciary Committee reports bills without consulting the American Bar Association.

Mr. JENKINS. This strikes me as an extraordinary departure.

Mr. SUMNERS of Texas. It is not; in many States this practice is pursued with beneficial results.

Mr. JENKINS. Did the testimony before the committee show how frequently a jury would be called in in these cases?

Mr. SUMNERS of Texas. I do not recall that fact.

Mr. LaGUARDIA. It would be an exceptional case. The purpose is that where two prospective litigants are at variance as to their legal obligations under an existing contract there is no question of fact, and it is submitted to the court to construe the legal effect of the instrument or agreement.

Mr. JENKINS. I notice that in some reports from the Committee on the Judiciary there are 11 members who signed minority reports. How did they stand in this case?

Mr. LaGUARDIA. I think it was the unanimous report of the committee.

Mr. SUMNERS of Texas. That is my recollection. I think this is good legislation.

Mr. LaGUARDIA. This has been tried in many of the States and it has saved millions of dollars in litigation. It really expedites business and is a preventive of litigation.

Mr. SUMNERS of Texas. It is really a common-sense proposition.

Mr. DYER. Which has been tried out in many States, where it has been successful.

The pro forma amendment was withdrawn.

The bill was ordered to a third reading, was read the third time, and passed.

A motion to reconsider was laid on the table.

GUNNISON NATIONAL FOREST, COLO.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the bill H. R. 12126, a bill to add certain lands to the Gunnison National Forest, Colo., for the purpose of asking that it be passed over without prejudice. The author of the bill, the gentleman from Colorado [Mr. TAYLOR], is absent through illness, and he asked me to prefer that request, but I did not do it in the confusion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma to return to Calendar No. 395 and passing over the same without prejudice?

There was no objection.

WAIVER OF PROSECUTION BY INDICTMENT IN CERTAIN CRIMINAL PROCEEDINGS

The next business on the Consent Calendar was the bill S. 2655, an act providing for waiver of prosecution by indictment in certain criminal proceedings.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Reserving the right to object, Mr. Speaker, this provision will save the Government \$250,000 to \$300,000 a year.

It does not take away from the defendant a single right that he has under the Constitution. He does what he does voluntarily. He is arrested; he is put in jail; he has to wait until the grand jury is called before he is indicted. He wants to enter a plea of guilty and get his sentence, but you will not permit that; you hold him in jail and let him be indicted, and you go to the expense of the indictment. That is what is done under the present system when the defendant wants to go to jail. He is ready to plead guilty to the offense, but you hold him and hold him three months or more.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CHIPERFIELD. Instead of the defendant wanting to do this voluntarily, is it not probable that he might be overinduced by officials of the Government to do it?

Mr. McKEOWN. No. We safeguard that by providing that he shall have ample opportunity to secure counsel.

Mr. CHIPERFIELD. And have the judge explain it to him?

Mr. McKEOWN. I just say this: In 14 States in the Union this practice is followed without any necessity for a grand jury. You have an archaic system, an old system, and you go on, and yet ask why it is that the criminal law breaks down. It is because you adhere to this archaic system, when no possible harm can be done this defendant in this way, because if he waives his right, while there may be some judges, some officers who are willing to go in and mislead a defendant, yet it is a very rare instance in which that occurs, and I, for one, would be willing to impeach any judge that would mislead any defendant, however poor or insignificant his position might be.

Mr. JENKINS. Does not the gentleman think that this matter is of such great importance that it ought not to be considered on the Consent Calendar?

Mr. McKEOWN. It might be of great importance, but a more important bill than that just passed here affecting the entire civil procedure, setting aside the procedure, to try out all contracts and agreements, before there is any violation. You have just passed that and I will say this, that the Attorney General has come in and insisted and the Supreme Court has decided the question. This bill passed the Senate. If you want to keep up this \$500,000 annual expense, that is not needed or necessary, of course that is your responsibility.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLACK. We will expect that the gentleman some time this week, as a champion of economy, will vote for a bill that will save the Government a lot of money.

Mr. McKEOWN. I say to the gentleman that I will be ready to vote for it.

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for five minutes to answer the gentleman on this bill.

Mr. CHIPERFIELD. Oh, there is plenty of objection to it. That is sufficient answer.

Mr. LaGUARDIA. I believe the statement of the gentleman from Oklahoma ought to be briefly answered, and I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LaGUARDIA. Mr. Speaker, this bill is reported out with 11 members of the Committee on the Judiciary opposing it and submitting a minority report. If gentlemen will look at the names of the 11, he will find members there who have different views on many subjects. The gentleman from Oklahoma [Mr. McKEOWN] talks about economy; but I say that our grand jury is a result of centuries of abuses and oppression before it was ever brought about. It is one of the outstanding protections to individuals of our whole Anglo-Saxon jurisprudence, and it should not be brushed aside on a plea of saving \$250,000, to be spread over a whole nation.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. CHIPERFIELD. Under this proposed procedure, it would be possible for some defendant not overly well informed as to his rights, not perhaps overly well equipped mentally, to be hanged without a grand jury intervening and with no protection being afforded to him. It is an iniquitous measure and it should not be passed in this way.

Mr. LaGUARDIA. It is contrary to the traditions and customs of Anglo-Saxon jurisprudence.

The SPEAKER pro tempore. Is there objection?

Mr. LaGUARDIA. I object.

Mr. CHIPERFIELD. I object.

Mr. BLACK. I object.

Mr. CONDON. I object.

Mr. DYER. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, at this point, in view of the great importance of the matter which we have had under consideration, I ask unanimous consent that I be permitted to have inserted in the RECORD the minority views of the 11 members of the Judiciary Committee on this question.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Mr. Speaker, I object.

ADJUSTMENT OF CLAIMS, OLMSTEAD LANDS, NORTH CAROLINA

The next business on the Consent Calendar was the bill (H. R. 10271) to authorize the Secretary of Agriculture to adjust claims to so-called Olmstead lands in the State of North Carolina.

The SPEAKER pro tempore. Is there objection?

Mr. COCHRAN of Missouri. Mr. Speaker, I reserve the right to object. Will the author of the bill state the amount of money involved here? I see where the Secretary of Agriculture is permitted to convey by quitclaim deed to the applicant the interest of the United States in the lands, or pay to such party such sum as the Secretary of Agriculture shall find to be just compensation.

Mr. WEAVER. This payment will be made under the Weeks law at a price to be fixed by the Secretary of Agriculture.

Mr. COCHRAN of Missouri. Where is the money to come from?

Mr. WEAVER. In some future appropriation.

Mr. COCHRAN of Missouri. From the people of the United States?

Mr. WEAVER. Under the appropriations annually made.

Mr. COCHRAN of Missouri. How much is involved?

Mr. WEAVER. A comparatively small amount.

Mr. COCHRAN of Missouri. There is no indication of the amount involved.

Mr. WEAVER. It is a comparatively small amount.

Mr. COCHRAN of Missouri. These thousands of dollars that we are opening the way to appropriate run up into the millions. The taxpayers are complaining. Can not the gentleman give us some definite statement with reference to the amount of money that might be paid out of the Treasury?

Mr. WEAVER. I should say from the character of the lands as I know them, these lands that would be purchased would approximate from \$6 to \$10 an acre.

Mr. COCHRAN of Missouri. And how many acres are there?

Mr. WEAVER. About 800 acres.

Mr. COCHRAN of Missouri. Not more than 800 acres involved?

Mr. WEAVER. No. That is contained in the statement by the Secretary of Agriculture.

Mr. COCHRAN of Missouri. In view of the gentleman's statement, I will not object, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to adjust all claims to the so-called Olmstead lands in the State of North Carolina which were placed under his administrative care by the act of July 6, 1912. (37 Stat. 189.)

SEC. 2. That for the purpose of carrying out the provisions of this act the Secretary of Agriculture is authorized, upon a finding by him, that by reason of long-continued occupancy and use thereof a party is justly entitled to any of said Olmstead lands, to convey by quitclaim deed to such party the interest of the United States therein, or to pay to such party, from any appropriation which hereafter may be made to carry out the purpose of the act of March 1, 1911 (36 Stat. 936), such sum as the Secretary of Agriculture shall find to be just compensation for the release of the claim of such party to said lands.

With the following committee amendment:

On page 2, line 1, after the word "him," insert the words "and approved by the Attorney General."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CLAIMS OF OSAGE NATION OF INDIANS AGAINST THE UNITED STATES

The next business on the Consent Calendar was the bill (S. 2352) amending the act entitled "An act authorizing the

Court of Claims to hear, determine, and render judgment in the civilization fund claim of the Osage Nation of Indians against the United States," approved February 6, 1921 (41 Stat. 1097).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING POST OFFICE DEPARTMENT APPROPRIATION ACT FOR FISCAL YEAR 1913

The next business on the Consent Calendar was the bill (H. R. 11270) to amend section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman having this bill in charge state briefly the reason why certain editors should be relieved of the obligation of furnishing biannual statements, and in lieu thereof furnish annual statements of their stockholders and subscribers?

Mr. LAMNECK. It causes extra work for the newspapers. Many of the circulations are greater earlier in the year and some are greater later in the year. When made every six months an exact statement is almost impossible, and it takes an average yearly statement to make a real report. It makes much extra work for the Post Office Department. The Postmaster General said it ought to pass, and we think so, too. I hope the gentleman will not have any objection.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. JENKINS. The gentleman says it will give an average statement. Does the bill provide that it will be an average? Does it provide that it will be an average subscription for the whole 12 months and the report show that?

Mr. LAMNECK. That is the idea. It shows the true circulation over a period of 12 months.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. EATON of Colorado. This bill was passed in the Seventy-first Congress by the Senate and came over and passed the committee in the Seventy-first Congress.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LaGUARDIA. I believe we required reporting once a year. If we can get an accurate report yearly it is far better than getting an inaccurate report twice a year. I hope that, if this bill passes, the Post Office Department will check up and go after some of these editors who are making false reports of their circulation.

Mr. MILLARD. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. MILLARD. There was objection made on July 1. Does the gentleman know what the objection was at that time?

Mr. LAMNECK. I do not know. I think the gentleman from Wisconsin [Mr. STAFFORD] made the objection.

Mr. STAFFORD. The original objection I made was predicated upon the idea that advertisers in our newspapers had the right to know twice a year as to the amount of circulation, and not take the padded word of the publisher. That was my fundamental objection to only having it once a year, but I have receded from that objection stage, and I have no objection to the bill.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. JENKINS. I notice the language which I inquired about on page 3:

And also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding 12 months.

How will they arrive at that average?

Mr. LAMNECK. I imagine they will take the total daily circulation and divide it by 365. If it is a monthly proposition they will divide it by 12 to get the average.

Mr. MANSFIELD. That provision is in the present law, also.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912, is amended to read as follows:

"Sec. 2. No contract for furnishing supplies to the Post Office Department or the Postal Service shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract, or to bid at a specified price or prices thereon; and if any person so offending is a contractor for furnishing such supplies, his contract may be annulled and the person so offending shall be liable to a fine of not less than \$100 nor more than \$5,000, and may be further punished, in the discretion of the court, by imprisonment for not less than three months nor more than one year.

"That it shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of July of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding 12 months: *Provided*, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scientific, or other similar publications: *Provided further*, That it shall not be necessary to include in such statement the names of persons owning less than 1 per centum of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this paragraph within 10 days after notice by registered letter of such failure. That all editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked 'advertisement.' Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised, without so marking the same, shall upon conviction in any court having jurisdiction be fined not less than \$50 nor more than \$500."

With the following committee amendments:

Page 1, line 3, after the word "that," insert the words "the second paragraph of"; page 1, line 6, at the end of the line, insert the words "(37 Stat. 553; U. S. C., title 39, secs. 233 and 234)"; page 2, strike out all of lines 1 to 15, inclusive.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

DANGEROUS QUACK REMEDIES

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANKFORD of Georgia. Mr. Speaker, the man with a quack legislative remedy is much more dangerous than the man with none. Quack measures in Congress block and prevent the passage of good legislation. Quack legislation for the farmer and the average citizen is always proposed by

their enemies or by those who wish well enough but are not familiar with their real problems.

Just as a quack medicine may cause a patient to temporarily feel better only later to die, so a quack legislative remedy, if put into effect, may help the farmer temporarily and later work his destruction.

This has been true of practically every big bill heretofore passed in the name of the farmer. This is true of a flood of bills that are now being proposed in behalf of the farmer and to remedy the present depression. These quack remedies oftentimes appear plausible, sometimes have some merit, and always are most deceptive; they will not, though, stand the acid test of a close analysis.

Always in the end they do the farmer and common people much more harm than good. They are the monkey wrenches thrown into the machinery of good legislation, and never fail to do their deadly work. An example of this kind of legislative proposal for some time, in one form or another, has been going the rounds in the form of a scheme to give every man, woman, and child in the United States a so-called "prosperity certificate" for \$10, which it would be proposed to pass in trade as \$10 in money, provided a 20-cent postage stamp is pasted on it every time it changes hands in the usual course of trade. When \$10 worth of stamps were placed on the certificate it would be redeemable by \$10 in real currency.

This is very much like giving a starving man a bowl of soup and then immediately pumping it out of him; the only difference is the money would be given to the rich as well as the poor, with the entire amount to be pumped out of the poorer class of folks. The rich man would only put one stamp on any of this money. That would be when he paid to some poor laboring man his week's pay with one of these certificates and even then he would make the poor man stand the loss of the stamp. The rich would not use these certificates. They would not have to use them. The poor man would have to use them. He and the small merchant and other small business men would be forced to bear all the losses, suffer all the discounts, and pay all the taxes. The entire scheme would provide for helping the rich by taxing the poor. Will some people never learn that real relief for the poor can never be secured by a sales tax or a double sales tax on the poorest of the poor?

It seems that the general sales tax is to be forced on our people over the vote of those of us who oppose it and this \$10 certificate quack scheme would then bring about a double sales tax on the food, clothing, and necessities of the poorest of the poor.

This scheme in the end would help no one, except the richer class; they would get their money without it ever being taxed or "pumped" back out of them. The poor man would be forced to undergo a taxing, squeezing, or pumping process so terrific as to get out of him what he swallowed and what he did not get. He would be forced to pay or return to the Government not only the money he got but also the money the rich man received and enjoyed.

By the time this money was made good by the stamp or pumping process it would all be in the vaults of the rich and the poor people again would have been taxed an enormous amount for the benefit of the rich. Think of the absurdity of solving all the problems of this depression by giving \$10 in these certificates to each of the Rockefellers, Vanderbilts, Goulds, Morgans, Mellons, and other multimillionaires of the country. Think of the absurdity of solving all the problems of unemployment by giving one of these \$10 certificates to each of the starving, freezing millions of our country, and then immediately beginning to tax it out of them, when more than \$10 in food and clothing each must be given them absolutely free, never to be again taxed out of them, if they are to be kept alive until next spring.

How ridiculous and absurd is the suggestion that all the farmer's problems of marketing, tax advertisements, tax sales, loan foreclosures ad infinitum would be forever settled by handing the farmer and each member of his family

one of these certificates, with the Government to immediately begin pumping the entire amount—doubled for the benefit of the big rich—out of the poor farmer.

Will some people never learn that no scheme is good for the farmer and the average man, which bleeds the farmer for the benefit of all the country by some deceptive promise to take out of one pocket in taxes or otherwise more—yes; much more—than is put back in the other. This is the trouble with the "domestic allotment plan" and the "equalization fee" plans of farm relief.

This quack scheme would not help anybody. It will not help the rich; they do not need it. It will not help the extremely poor; they must get much more than this to be kept alive—money absolutely free and never to be taxed out of them. It will not help the farmer and average citizen; the entire cost and all the money furnished by this plan to rich, poor, and all would be in turn pumped, squeezed, and taxed out of the common run of men and women.

This is just another way of putting the whole load on the backs of the average citizen instead of letting each citizen carry his own burden; another way of loaning everybody—rich and poor—\$10 each, with the farmer, the laborer, and the small business man to pay the whole debt. This is another way of putting into effect the most vicious sales tax ever conjured up by the mind of man, a tax collectible where these certificates are passed not only in the purchase of food, clothing, medicine, and every other necessary of life, but also in the payment of taxes, interest, and all debts with the enormous sum thus to be raised out of the poor, to be distributed to everybody, regardless of whether they need it or not.

The borrower would be taxed for paying his interest. The taxpayer would be taxed for paying his taxes, taxed for paying for the advertisement of his land for sale, and even taxed for borrowing money with which to pay his taxes. This scheme ought to satisfy the craving of the most enthusiastic tax grabber in the country.

This fantastic scheme should satiate the desire of those who want to relieve the rich of all taxes and put the entire burden on backs already broken.

If the scheme is good, why not quit using any other method of raising money by taxes for the Federal Government? You see, these certificates could be issued to pay all salaries, to pay and meet each and every other Government expenditure, and then every time the certificates are passed put on the stamps and apply the tax lash to the poor. Of course, the average citizen would have to carry the whole load and pay the whole tax, for they would have to do the spending of these certificates. The rich have plenty of the real money in their vaults for all their purposes. Then, again, there would be no need of income taxes, inheritance taxes, estate taxes, or any other tax on wealth. It is a great tax scheme, is it not? And yet there are good men who say this sort of thing in 24 hours will solve every problem of the present depression, solve the farm-relief problem, stop mortgage foreclosures, solve the transportation question, the money problem, and the question of financing our cities, counties, States, and Nation; make everybody prosperous and happy; stop at once the present depression and make other depressions and panics impossible forever.

Wonderful scheme, is it not? If the scheme is good, to raise a billion or two dollars to give to everybody indiscriminately, whether they need it or not, why not let the Federal Government by this method raise all the tax money necessary, for not only the Federal Government, as some now insist, but also for all the cities, counties, and States and simply turn over to the cities, counties, and States the money needed by them as and when needed. You see this much cherished prosperity-certificate idea, if carried to its logical conclusion, could be used to prevent all income taxes, all inheritance taxes, all estate taxes, and all taxes of every nature out of the big rich, not only for Federal purposes but for all purposes. The rich would thus be relieved of all taxes, Federal, State, county, and municipal, and the sponsors of this scheme would have done the poor people more

injustice and rendered the malefactors of great wealth a greater service than was ever before attempted. The scheme is divisible into two parts—the raising of money by Federal taxation and the spending of money by the Federal Government. Both parts are wrong. The method of taxation here proposed is unfair and vicious and is the most outrageous tax conglomeration ever suggested. No tax plan has heretofore been suggested which would so effectively put all the burden of government on the poorer class and none on the wealthier. The way in which the money is to be spent constitutes an apparent thin sugar coating to this outrageous tax scheme. The unfairness of this taxing method in thunder tones condemns the whole plot and silences the suggestions of merit contained in the proposal to donate to the poor.

I am willing to go as far as any Member of Congress in the appropriation of public funds for the alleviation of suffering among men, women, and children during this awful time, but I want these funds to be raised by taxing wealth and those most able to pay and not by taxing the poor, and only the poor, by the illogical, unfair, vicious method here proposed. There is no way of waiving a wand and spending Government money without in some way getting that money out of the people. This scheme is like all others in this respect, except it goes much farther than any of the others in taxing the poor and relieving the rich. I am bitterly and unalterably opposed to this tax scheme, opposed to the silly idea of donating any of the money to those who do not need it and favor helping the needy the amount here suggested and as much more as may be necessary, but I insist that the money needed for this and all other governmental purposes be raised by taxing those most able to pay and with as little burden as possible on those who have paid and paid until they have come to the end of the way.

The scheme would bring about an unprecedented orgy of counterfeiting and violations of the law. It would require an extra army of detectives and high-salaried snooping officials to chase all our citizens both day and night to put this new-fangled sales tax into effect and keep it pumping the very life blood out of our people.

Then again just imagine an individual wanting to buy some 5-cent article with one of these \$10 certificates and having to pay 20 cents tax in order to make a 5-cent purchase. A more criminally vicious form of sales tax was never suggested.

Better a thousand times put into effect the so-called manufacturers' sales tax—much as I oppose all forms of general sales taxes. Of course, the stamp by legislation could be easily changed from 20 cents on every \$10 bill to 50 cents or a dollar or even \$5. Of course, this would require the poor people to donate to the Government as much money as they spent for themselves and for their wives and children in the purchase of food, clothing, medicine, and all other commodities, but what difference would this make to the enthusiastic sponsors of this scheme just so the big corporations and multimillionaires of the country were relieved of all income, inheritance, estate, and other taxes on great fortunes. This newly proposed sales tax scheme in its terms is as certain and as fatal as death itself.

The general sales tax, which so many of us oppose, is heavy on some articles and light on others and has many exemptions; not so with this new scheme; it would be heavy on all and cover everything.

There are honest differences and contentions as to who suffers the loss of money raised by tariff, general sales tax, ad valorem taxes, and other form of taxes; there is no question about all the taxes under this new scheme coming out of the poorest of the poor and the common people.

There is debatable ground as to who eventually pays the "equalization fee" or the export debenture charges or the funds raised under the allotment plan of farm relief, as set out in various farm-relief proposals; there is no doubt in the world about who would bear all the cost and taxes under this new scheme—the farmer, the laborer, and the average citizen.

Even the general sales tax is all claimed to be absorbed by the manufacturers; I feel this is not true and that oftentimes doubled and compounded, it will be passed on to the ultimate consumer; but there is no doubt about the tax under this new scheme being paid, absorbed, and forever lost by the ultimate consumer of the necessities of life, the very people who are most in need of help at this time.

This new sales-tax scheme has concealed in it, lurking like a thief, vicious provisions which overcome ten thousand times the feeble suggestion that small donations be made to the needy. This scheme of taxation is wrong and indefensible.

This so-called painless scheme of extracting taxes from the consuming public has been going the rounds for many months. Every advocate of the vicious scheme seeks to sugar coat its hideous provisions by tying onto and making a part of the scheme some plan whereby the money to be raised by the plan is to be spent in a way which more or less appeals to the public. Some suggest that this plan be used to raise money to pay the balance of the adjusted compensation due veterans of the World War; others desire to use the scheme to raise money to finance a great building program to help unemployment; others say the scheme would be good to raise money to buy up the surplus of farm products and otherwise help the farmers; others would by this scheme raise taxes for all purposes; and still some others say money should be raised by this method and divided equally among all the citizens, rich or poor, without regard to the necessities of any citizen or group of citizens.

I am in favor of some of the purposes for which some of these tax proponents would seek to spend public funds. I am not now arguing the merits or demerits of these proposals. I am saying that stripped of all its deception the sales-tax plan here suggested to tax the poorest of the poor on every sale of food, clothing, or other necessary of life is vicious in the extreme and indefensible from every standpoint, and can only be sponsored by some one ignorant of the real dangers of the plan or who does not have at heart the welfare of the masses of our American people.

There is no danger of a scheme so palpably unfair and dangerous as this ever being enacted into law; the awful tragedy is that men will waste time with quack schemes like this rather than seek to render real service to our people and Nation during this awful time of distress and agony.

The people need to be relieved of tax burdens and given a helping hand in their efforts to stop tax advertisements, tax sales, and loan foreclosures. Their very lives are at stake. Their homes are being sold and they are being ruined. Let us not try to conjure up new methods of taxing poverty and distress. Let us help our people get relieved of their unbearable burden so they can live and face the future with renewed confidence and hope.

HIRING VEHICLES FROM POSTAL EMPLOYEES

The next business on the Consent Calendar was the bill (H. R. 9555) to authorize the Postmaster General to hire vehicles from postal employees.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, the provisions of this bill make it retroactive back to the fiscal year 1923. I object.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. LaGUARDIA. Mr. Speaker, I object.

COEUR D'ALENE AND ST. JOE NATIONAL FORESTS, STATE OF IDAHO

The next business on the Consent Calendar was the bill (H. R. 6659) for the inclusion of certain lands in the Coeur d'Alene and St. Joe National Forests, State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, and I think I am going to object, is it the old fire protection bill?

Mr. BLANTON. Well, Mr. Speaker, there are three objectors. What is the use discussing it?

Mr. FRENCH. It is the same bill that has been considered heretofore.

Mr. LaGUARDIA. Mr. Speaker, I object.

Mr. GOSS. Mr. Speaker, I object.

Mr. FRENCH. Mr. Speaker, may I ask unanimous consent that the bill be passed over without prejudice and hold its place?

The SPEAKER pro tempore. Three gentlemen have objected. Does the gentleman desire to ask unanimous consent?

Mr. FRENCH. May I ask unanimous consent to have the bill passed over without prejudice?

Mr. BLANTON. What is the use of requiring us to do this all over again? I object, Mr. Speaker.

SEMINOLE TRIBE OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 5846) authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians.

Mr. UNDERHILL. Mr. Speaker, I object.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. Will the gentleman reserve his objection?

Mr. DYER and Mr. STAFFORD objected.

RESTORATION OF HOMESTEAD RIGHTS IN CERTAIN CASES

The next business on the Consent Calendar was the bill (S. 4029) to restore homestead rights in certain cases.

Mr. BLANTON. Mr. Speaker, the author of this bill is not here. I understand he is sick. I, therefore, ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

OTOE AND MISSOURIA TRIBES OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 10927) conferring jurisdiction on the Court of Claims to adjudicate the rights of the Otoe and Missouri Tribes of Indians to compensation on a basis of guardian and ward.

Mr. JENKINS. Mr. Speaker, I object.

Mr. GARBER. Mr. Speaker, will the gentleman withhold his objection?

Mr. JENKINS. Mr. Speaker, I withhold the objection and reserve the right to object.

Mr. GARBER. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. GARBER. I may state that the bill is unanimously reported by the committee. It is drafted along close lines, and if the gentleman has any particular provision of the bill to which he objects it might be remedied.

Mr. JENKINS. My principal objection is that the Department of the Interior recommends against it.

Mr. GARBER. While that is true, since that time the bill has been amended to conform to one of the main objections the department raised.

Mr. WILLIAMSON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. WILLIAMSON. I may say to the gentleman that no jurisdictional bill has ever been passed to which the department did not object. They objected to all of them without reference to the merits. This bill has particular merit to it.

Mr. UNDERHILL. Mr. Speaker, I have been objecting to all this class of bills. I see no reason why there should be an exception in this case. Therefore, Mr. Speaker, I object.

BRIDGE ACROSS LAKE CHAMPLAIN

The next business on the Consent Calendar was the bill (S. 1980) to extend the times for commencing and completing the construction of a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.

Mr. LA GUARDIA, Mr. PATTERSON, and Mr. BLANTON objected.

CLASSIFICATION OF COTTON

The next business on the Consent Calendar was the joint resolution (H. J. Res. 434) to authorize and direct the Secretary of Agriculture to provide additional facilities for the classification of cotton under the United States cotton standards act, and for the dissemination of market-news information.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. FULMER. Mr. Speaker, will the gentleman reserve his request?

Mr. STAFFORD. I reserve the request to give the gentleman an opportunity to explain the bill.

Mr. FULMER. Under this bill we simply propose to extend to the producers of cotton the same facilities that cotton factors, mills, and exporters now have under the cotton grading act, for the proper grading and stapling of their cotton, with licensed graders and samplers provided without any cost to the Government.

This bill has the favorable support from the Agriculture Department, as shown by its letter in the report. May I state that the cotton grading bill is operating beautifully and helpfully now in all large centers where cotton is centralized, but they have been unable to carry the direct benefits down to thousands of producers, and even so not the full benefits, especially as to length of staple.

I wish to call the gentleman's attention to a letter from ex-Congressman A. Frank Lever—who by the way tried to lick me during the last campaign—as carried in the report, which shows a saving of \$7.50 per bale.

I had an expert Government cotton grader located in my State during the fall of 1929 and 1930, to test out this proposition. It not only meant the securing of a better price for the farmers' cotton from \$5 to \$10 per bale, but it encouraged the growing of a better staple of cotton that farmers of the South will have to grow if they are going to continue in the cotton-producing business. You will note from Mr. Lever's letter that he stated he took advantage of this expert cotton grader by having only three bales properly graded and stapled for which he received a certificate from the grader as to color and staple. He also stated with this certificate he was able to sell three bales on the same market where he usually markets his cotton at a premium of \$7.50 per bale. Certainly this should be of interest to the gentlemen in trying to hold up this legislation, especially when cotton farmers, like all other farmers, are practically broke to-day.

I can not understand why the gentleman would not want farmers to be able to receive the benefit under this proposed legislation as to the special length of the staple, which, as stated, will induce cotton farmers to grow that type of staple which they should grow to be able to compete with foreign countries, and bring about these benefits without any expense to the Government.

I hope the gentleman will withdraw his objection.

Mr. STAFFORD. Mr. Speaker, it has been some weeks since I examined this bill. When I last examined it I thought it was rather too general to be taken up on consent day. I may say to the gentleman that if the bill goes over without prejudice I shall examine it anew before it is next considered.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

THE DOMESTIC-ALLOTMENT PLAN

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FULMER. Mr. Speaker, the Agricultural Committee of the House, of which I am a member, is holding hearings on the domestic-allotment plan legislation, as introduced by

me during the last session of Congress, and in line with the plan as worked out by the various farm groups.

This legislation is sound, practical, and will do more toward placing agriculture on a paying basis and on an equality with industry than any legislation which has been offered since I have been a Member of Congress.

If the Congress will repeal legislation giving special privileges to others in the way of, for instance, the highest tariff rates at this time ever in the history of this country, and the highest freight rates, and put into action the anti-trust act, so as to break the monopolistic fixing of prices, all of which has paralyzed agriculture; we will not need the above legislation, which proposes to place agriculture on an equal basis with protected industry, and to restore agricultural prices on a parity basis with the prices of industrial products in line with pre-war prices. In other words, we are attempting to restore to those commodities the same purchasing power as was received during the period from 1909 to 1914. Prior to the war, agricultural commodities were on a parity with industrial commodities; whereas, to-day the purchasing power of farm products is on about a 50 per cent basis in comparison with industrial products.

It is understood and agreed by everyone that the only way to bring about normal prosperity is to restore the purchasing power of the people. To my mind, the only way that this can be done is to see to it that farmers secure a fair price for that which they produce, a price absolutely in line with prices received by protected industry, and on a parity with industrial products.

This plan does not require any additional Government machinery or interfere with the present regularly established rules in doing business.

Is it fair to allow protected interests to sell on the domestic markets at one price, in many cases far above the world basis price, and force farmers to sell their major farm products, for instance, cotton, at a price based on the world price? Cotton which is selling to-day for 6 cents per pound in the United States, is being sold in Europe at the same price plus freight charges. In the meantime, as stated, the purchasing power of agricultural products compared with industrial products, is so much lower that it is impossible for farmers to pay their obligations and purchase what they really need.

As stated, there is nothing in this plan which will interfere with the regular and well-established way of doing business; that is, in buying or selling cotton. Up and until the cotton passes into the hands of cotton mills and exporters, there is no need to discuss the operations of this legislation, except the working out of regulations and perhaps the creating of a small amount of machinery that would be very helpful in the successful operating of the plan. After the cotton reaches the mills and exporters, the operation of the bill is just the same as it is in every case where the tariff has been applied by protected industry.

Manufacturers will continue to buy on the open market, when and from whom they please, on a world basis, which is to-day 6 cents per pound; but after it is manufactured the price of the manufactured products will be figured at 6 cents plus the amount carried in the bill, 5 cents, or under the new plan, whatever difference it may take to bring the world basis price up to and on a parity with industrial products, making the cost price in the first instance 11 cents instead of 6; or, under the new plan, whatever tax or charge that would be necessary to maintain the price on a parity with industrial products. Under either plan, that is a fixed 5-cent tax or the difference between the world-basis price and the price on a parity with industrial products. The manufacturer would add same to the world-basis price or prices paid in the first instance and pass it on to the consuming public through the regular channels, jobbers, or wholesalers.

The only difference between the two plans would be in the first instance a fixed charge of 5 cents regardless of the world-basis price, or that figure which would bring the world-basis price to and on a parity with industrial prices.

Under the last plan, for instance, at this time, perhaps it would take 6 cents per pound on cotton to place the purchasing power of cotton on a parity with industrial products. However, as the world-basis price advances and agricultural products are advanced towards a pre-war basis or on a parity price with industrial prices, the tax or adjustment charge, as you may call it, would vary from time to time, and would be eliminated altogether when farm prices reach a basis or a parity with industrial products.

Any exporter doing only an export business would not have to add this 5 cents per pound, and neither would he have to pay any revenue thereon. The question has been raised that cotton mills in the United States would not be able to compete with foreign countries in exporting manufactured cotton goods to be sold on foreign markets because of this extra 5 cents per pound on cotton. This would not interfere at all. In fact, it would place the manufacturer on the same basis in doing business in foreign countries as he is now on, for the reason under the above plan he would be entitled to a drawback of 5 cents per pound. Cotton manufacturers are also claiming that this advance in price would decrease the consumption of cotton goods. If you will take the pre-war record, or any other period when the purchasing power of the people was normal, you will find that this is absolutely untrue. We hear a great many statements about taxing the consuming public 50 per cent on their purchasing of cotton goods under this bill. It is my understanding that an adjustment charge of 5 cents per pound on cotton would not amount to more than one-fourth of 1 cent per yard on manufactured goods.

The Internal Revenue Bureau, without any additional machinery, would be able to collect this 5 cents per pound from mills and place same in the Treasury of the United States in a special cotton fund.

The allotment would be made to farmers on an average over a period of 5 or 10 years. It would be unfair to have a shorter period than 5 or 10 years to ascertain the average, for the reason that certain cotton States that have been very heavily infested by the boll weevil would be out of line with States that have not had the ravages of the boll weevil and where farmers have increased the acreage and production, as in the State of Texas. Suppose we find over either the 5 or 10 year period that the average will allot South Carolina 1,000,000 bales; and in allotting this million bales to the various counties in the State that the allotment for my home county, Orangeburg, would be 60,000 bales, and to me as an individual farmer, residing in Orangeburg County, 100 bales. We have all of the statistics necessary in the Agricultural Department to work out these allotments, even down to the individual farmer.

If it is found that we will need 50 per cent of this allotment for home consumption, I would be entitled to 5 cents per pound on 50 bales out of my 100, or \$750 in cash out of the allotment fund carried in the Treasury in the cotton fund, less administrative expenses, which, I figure, would not exceed 2½ per cent.

To participate in this allotment fund, farmers would have to agree to a certain cut in acreage as planted in 1932; for instance, as carried in my bill, 20 per cent; or under the last plan submitted by the farm group, farmers would have to prove that they had carried out the cut in acreage or production as agreed upon in the beginning of the marketing period before they would be entitled to a certificate for their allotment benefit.

There is nothing in the bill that would force farmers to take advantage of this plan. In other words, any farmer who wanted to continue to operate as an individual unit, as all farmers have been doing in the past, being unable to organize, could farm as usual and plant just as much cotton as he desires, but he would not receive anything above the actual world basis price that he is now receiving.

You remember under the equalization-fee plan it was proposed to penalize farmers indirectly by collecting the equalization fee under some special plan other than direct

from the farmers to bring about benefits and the controlling of production. You will also remember under the debenture plan it was proposed to give to farmers the benefit of 2 cents per pound by issuing debentures, with the hope that this 2 cents per pound would trickle back down to the farmers. Under both of these plans there are no specific direct benefits to the individual farmer and would have a very small tendency toward the restricting of production, if any.

The time was when the consuming public and its representatives in Congress, especially from large cities, would fight any move to advance prices of farm products, but not so now. This class of people, along with every line of business, unless it be those who have their own selfish interests at heart, is willing to go the limit in putting farm prices on a paying basis, because it means restoring the purchasing power of 35,000 people, which is necessary to revive business, retail, wholesale, and manufacturing, as well as tonnage for railroads. This will also take care of the unemployed, and in so doing you will restore the purchasing power of an additional 12,000,000 people. May I state that it is my belief that without fair prices for farm products, at or on a parity basis with industrial products, the restoring of the purchasing power of agriculture can not be returned, neither can the unemployed be put to work.

STABILIZATION OF LIVESTOCK INDUSTRY

The next business on the Consent Calendar was the bill (H. R. 11816) to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. LaGUARDIA. I think this bill ought to be knocked off the calendar because it reverses our tradition and policy with regard to public lands. There is grave danger in this bill. You may put off of the public lands every small raiser of cattle and sheep and give monopoly to the big companies and permit them to put up buildings and fences that their successors must pay for. I do not see the benefit of this bill.

Mr. LEAVITT. It works in just the opposite way. The purpose is to prevent that sort of thing as well as to prevent the destruction of the range.

Mr. LaGUARDIA. It does not appear to me that way and I spent some time in the consideration of this bill.

Mr. LEAVITT. That is the way it operates in actual practice.

Mr. ARENTZ. Mr. Speaker, this bill is a very important one, but at the same time I think it should be discussed by the entire House, with an opportunity given for the offering of amendments, because it is revolutionary in that it changes the entire policy with respect to control and regulation of the public domain.

Mr. LaGUARDIA. And the gentleman having more public lands in his State than I have in mine, I shall give way to him.

Mr. COLTON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. It is a matter of tremendous importance, and I doubt myself that it ought to be taken up in this way.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

MINING OF COAL, PHOSPHATE, OIL, ETC., ON THE PUBLIC DOMAIN

The next business on the Consent Calendar was the bill (S. 4509) to further amend the act approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain."

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I call the attention of the sponsors of this bill to the fact that the Department of the Interior recommends an amendment, which I do not see included in the bill. The amendment suggested by the Navy Department is included,

but not the one recommended by the Department of the Interior.

Mr. EATON of Colorado. If the gentleman will permit, after discussion in the Public Lands Committee it was decided to report the bill out exactly as it had been passed by the Senate. The amendment suggested by the Department of the Interior was considered by the Committee on Public Lands, and its decision was that it should not be put in this bill.

Mr. LA GUARDIA. If my memory serves me right, one proposition puts in abeyance the payment of rentals, while the recommendation of the Department of the Interior is that the rentals should be paid each year but credited to the lessee, and then credited when he resumes activities and the lease extended, so the permit would not be abandoned, and then when conditions change, allow them to come in or not, as they may decide. I believe the recommendation of the Department of the Interior is certainly a fair one under the conditions.

Mr. EATON of Colorado. I hope the gentleman will reserve his objection until I may explain the matter further. If the recommendation of the Department of the Interior were put in the bill, then existing law would not be changed as to the dates for payments during periods of discontinuance of drilling and there would be practically no necessity for the bill. The very purpose of the bill is to give some equitable consideration to the many leases where the Department of the Interior, by its order, has prohibited production of oil from the leases. There are two classes of leases and the two classes of leases fall into two different groups. Part of them, by order of the Department of the Interior, have been prohibited from producing, while part of them, at the request of the producer, have discontinued production of oil.

The relief that has been asked for here has been so that in all cases they would all be on a par and where production is not made, either by the request of the producer and agreed to by the department or by order of the department, during the suspended period there will be a moving forward of the whole term of the lease and the requirements for nonproduction rental payments, simultaneously, without any rental payment. This is entirely justified by the present condition of the oil industry and the general business distress throughout the country, which has made necessary and proper this general relief bill that would put forward month by month and year by year the exact time for which all these relief measures are applicable, whether by the department's order or at the request of the leaseholder.

Mr. LA GUARDIA. Lest I did not make myself clear, permit me to read at this point the amendment suggested by the Secretary of the Interior.

Mr. EATON of Colorado. Is the gentleman reading from page 5 of the report?

Mr. LA GUARDIA. Yes; I want to get the amendment in the RECORD:

SEC. 39. In the event the Secretary of the Interior, in the interest of conservation, shall direct or shall assent to the suspension of operations and production of coal, oil, and/or gas under any lease granted under the terms of this act, the lessee shall be entitled to a credit of all rental paid under the lease during such suspension, to be applied on royalties due for future production: *Provided, however,* That royalties payable on account of drainage of the leased lands shall be credited against the rental for each lease year in which said royalties shall be payable: *And provided further,* That the term of the lease shall be extended by adding any such suspension period thereto.

Mr. EATON of Colorado. Now, permit me to read at this point the text of the bill which is the amendment approved by the Secretary of the Navy and the Committee on Public Lands.

SEC. 39. In the event the Secretary of the Interior, in the interest of conservation, shall direct or shall assent to the suspension of operations and productions of coal, oil, and/or gas under any lease granted under the terms of this act, any payment of acreage rental prescribed by such lease likewise shall be suspended during such period of suspension of operations and production; and the term of such lease shall be extended by adding any such suspension period thereto: *Provided,* That nothing in this act shall be

construed as affecting existing leases within the borders of the naval petroleum reserves and naval oil-shale reserves.

If the bill is adopted as recommended by the committee, administration is simplified and for any period of time for which extension is granted to discontinue operations, the requirement for the payment of royalty is likewise extended. The suggestion in the amendment referred to by the gentleman from New York [Mr. LA GUARDIA] would merely create more and extended bookkeeping, for in the end the Government will receive the same amount of moneys for the amount thereof to be deducted from the royalty payments to come due in the future. I am quite sure that if the gentlemen who are about to object to the passage of this bill will carefully reconsider the two paragraphs that they will come to the same final conclusion as did the members of the committee and support the text of the bill as it was passed in the Senate.

The SPEAKER pro tempore. Is there objection?

Mr. LA GUARDIA, Mr. STAFFORD, and Mr. BALDRIGE objected.

RELIEVING DISTRESS DUE TO UNEMPLOYMENT

The next business on the Consent Calendar was the bill (H. R. 12097) for the relief of distress due to unemployment, to create a committee for Federal, State, and local cooperation in placing qualified unemployed persons on unoccupied farms for the purpose of growing subsistence food crops during the continuance of the unemployment emergency.

The SPEAKER pro tempore. Is there objection?

Mr. BALDRIGE. Reserving the right to object, I wish to call attention to the fact that the purpose of this is to open up unused, unoccupied, abandoned farm lands. Now, the whole purpose of farm relief is not to open up new agricultural lands, but to close farm lands. Now, we ought not to pass legislation opening up more agricultural lands.

Mr. BLACK. This is a bill embodying the ideas of many thoughtful people, of enabling people in the cities to get back to the farms. There are many people in the city who are trying to get back to the farms. Some are now going back, and they will be a burden to the farming community.

Mr. LA GUARDIA. I would like to ask the gentleman what happened to this bill when it was up at the last session?

Mr. BLACK. I do not recall that there was any vote taken on it. This bill enables these men to go back, it authorizes a commission without any expense to the Treasury. It aids the citizens in every possible way in their efforts to get back to the farm. The commission is also to see to it that those who come back do not embarrass the farming situation by increasing production. All they are supposed to do when they get back is to grow enough food for their own immediate needs. It is to aid those who honestly want to go back to the farm to produce enough food for their own immediate support. They are now straggling around the country in the bread line, and it is not going to hurt the farmer or the business man.

Mr. BALDRIGE. Has the gentleman tried to get any men now in the bread line to go back on the farm?

Mr. BLACK. The reports of charitable associations show that these men want to go back, and they want help in getting back.

Mr. TABER. Will the gentleman yield?

Mr. BLACK. I yield.

Mr. TABER. They would want help after they got back from the farming community, would they not?

Mr. BLACK. The bill provides that they are not to go to any place unless assured of some help. Surely the community from which they came would welcome them.

Mr. LA GUARDIA. I want to ask the gentleman a question first. Who is going to take care of the local taxes on the farm; second, where are they to get the money to buy equipment and stock and machinery; third, who is going to take care of them until they raise a crop; fourth, what are they going to do with the crop; and fifth, do they know anything about farming? [Laughter.]

Mr. BLACK. Mr. Speaker, I shall answer the fifth question first. Only those will get the benefit of this act who do know something about farming. As to the fourth question, What are they going to do with the crop, we hope that they will eat it, and that if we are sensible people there will be a few drinks made out of it. As to questions 1, 2, and 3, there are provisions in the act itself that by cooperation with local communities all these things will be taken care of.

The SPEAKER pro tempore. Is there objection?

Mr. BALDRIGE. I object.

Mr. TABER. I object.

LEASE OF POST-OFFICE GARAGE, BOSTON, MASS.

The next business on the Consent Calendar was the bill (S. 88) to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PAYMENT TO CHINESE GOVERNMENT ON ACCOUNT OF CERTAIN CHINESE CITIZENS

The next business on the Consent Calendar was the bill (H. R. 12740) authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object, and I am not going to object. I rise to call the attention of the House to the fact that we have several bills on this calendar to pay indemnity for damages sustained by Chinese Nationals by reason of the operation of Marine Corps motor trucks in China—just another illustration of the folly of sending our troops where they have no business to be. I shall not object to this.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Yao Ah-Ken, \$1,500; Chiang Ah-erh (Tsiange Ah Erh), \$1,500; the family of Ts'ao Jung-k'uan (Dzao Yong Kwer), \$1,500, as full indemnity for losses sustained by Yao Ah-Ken, Chiang Ah-erh (Tsiange Ah Erh), and by the family of Ts'ao Jung-k'uan (Dzao Yong Kwer) as the result of a collision between United States Marine Corps truck No. 1130 and tram car B. 168, owned by the Shanghai Electric Construction Co. (Ltd.), in Shanghai, China, on November 29, 1929.

Mr. UNDERHILL. Mr. Speaker, I move to strike out the last word in order to ask the gentleman from Tennessee if his committee has considered any definite policy or has tried to place a definite valuation upon the life of a Chinaman over in China or elsewhere. Fifteen hundred dollars is a fortune over in China, where 10 cents will keep a man for a week. Whether \$1,500 is enough or too much I am not prepared to judge.

Mr. McREYNOLDS. We have not been able to place any definite amount upon the value of any human life. The gentleman knows that in this country if a suit were brought for the killing of a person the amount of damages would depend upon various circumstances, one of which, of course, would be his expectancy of life, with many others. As to the value of Chinamen, it has been placed very low in some of these claims. I have known some to come out of our committee for only \$300.

Mr. LAGUARDIA. This is a case where both legs are taken off.

Mr. McREYNOLDS. Yes; that is even worse than death, I think.

Mr. UNDERHILL. Congress did establish a valuation some years ago—I will not be definite about it—that the life of a Chinaman was not worth over \$1,000.

Mr. McREYNOLDS. I do not remember any such statement, but I do remember that some have been settled for very much less.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed and a motion to reconsider laid on the table.

PAYMENT TO CHINA ON ACCOUNT OF CERTAIN CHINESE CITIZENS

The next business on the Consent Calendar was the bill (H. R. 12741) authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of the estate of Li Ying-ting (Li Ing Ding), a citizen of China, the sum of \$1,500 as full indemnity for the deaths of Li Yuen Han (Li Yung-hang), Wang Sze (Li Hwang-shih), Chun Wo (Li Chen-Ho), and Poh Ling (Li Fu-lin), the son, daughter-in-law, grandson, and granddaughter, respectively, of Li Ying-ting (Li Ing Ding), resulting from a collision between the junk of Li Ying-ting (Li Ing Ding), and a United States naval vessel on the Yangtze River on July 3, 1925, and for medical and burial expenses incurred by Li Ying-ting (Li Ing Ding), as a result of the collision.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PAYMENT TO DOMINICAN REPUBLIC ON ACCOUNT OF MERCEDES MARTINEZ VIUDA DE SANCHEZ

The next business on the Consent Calendar was the bill (H. R. 12742) authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I reserve the right to object. A somewhat different principle is involved in this case from the two prior ones. Here it is proposed to pay a gratuity to a widow because her husband back 16 years ago performed some valorous service in helping to rescue drowning seamen. I am hesitant about paying out money in these times to a widow whose husband happened to perform a valorous service that was of aid to our seamen in a storm in the Dominican waters.

Mr. McREYNOLDS. I have no objection to the gentleman's objecting to the bill.

Mr. STAFFORD. Mr. Speaker, I object.

JANET HARDCASTLE ROSS

The next business on the Consent Calendar was the bill (H. R. 12743) authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, it strikes me that this bill is too high. It is evident there are two items, one for \$150 and another for \$480, that should be reduced. I wonder if the distinguished chairman of the committee would agree to an amendment reducing those two amounts. That is for the time that this young lady was off duty and what was paid her for the time she was on vacation. Those two items ought to go out, in my opinion. It is a total of \$630.

Mr. STAFFORD. Will the gentleman yield?

Mr. JENKINS. I yield.

Mr. STAFFORD. Would the chairman be willing to compromise on \$500? When I read the report yesterday it stated that this young lady was deprived of her service by reason of a little explosion that only required her to be in the hospital three days. The letter of the Secretary of State shows that she was in California convalescing from some operation or a breakdown, and yet she charged \$480 for lost time. The report shows that she was only in the hospital three days on account of this explosion near by.

Mr. McREYNOLDS. The amendment will be satisfactory.

Mr. STAFFORD. If the gentleman from Ohio would make it \$500, I think the Canadian Government would think we were very liberal under the circumstances.

Mr. McREYNOLDS. That will be perfectly satisfactory. The gentleman will offer the amendment at the proper time.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada, in full settlement of all claims for personal injury resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, Calif., on March 27, 1929, the sum of \$920.45.

Mr. JENKINS. Mr. Speaker, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. Jenkins: Page 1, line 10, strike out "\$920.45" and insert in lieu thereof "\$500."

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

RAIMUNDA VALLADARES DE CALDERON, A CITIZEN OF NICARAGUA

The next business on the Consent Calendar was the bill (H. R. 12744) authorizing an appropriation for payment to the Government of Nicaragua for the account of Raimunda Valladares de Calderon, a citizen of Nicaragua.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I wish to give further consideration to this bill, in view of the fact that our marines were virtually performing police duty at the request of the Nicaraguan Government. Therefore, I ask unanimous consent that this bill be passed over without prejudice.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I want to call the attention of the House and the gentleman from Wisconsin to the fact that if there ever was an unnecessary, cowardly, cold-blooded murder, it was in this case.

Mr. STAFFORD. I agree with the gentleman entirely.

Mr. LaGUARDIA. Here was this unfortunate Nicaraguan, who was taken into custody by a patrol. While in their custody, unarmed, after proceeding several miles, this marine dismounted and shot him down in cold blood, without any reason or provocation. What I want to point out is that his sentence, after trial by court-martial, was only two years.

Mr. STAFFORD. And the sentence was severely criticized by the Navy Department as not in keeping with the heinous offense.

Mr. LaGUARDIA. Yet he was only sentenced to two years. If there ever was a cold-blooded murder it was in this case.

Mr. STAFFORD. I agree with the gentleman from New York, but here are marines in the Republic of Nicaragua, at the request of the Government of Nicaragua. True, the officer was an officer of the United States who went beyond all bounds, yet, why should not the Nicaraguan Government be responsible when our marines were there for the benefit of the Nicaraguan Government at its request.

Mr. LaGUARDIA. I believe, in the first place, this officer was not acting in pursuance of any orders. He was our national. He was wearing our uniform. The gentleman says they were there at the request of the Nicaraguan Government. I think they were there mostly at the request of some of the bankers of my city, but that has nothing to do with the main proposition.

Mr. STAFFORD. There is no question but that the de facto government of Nicaragua requested the marines to be there.

Mr. McREYNOLDS. Why does the gentleman want this passed over?

Mr. STAFFORD. For the reason that I want to cogitate a little further on the question of whether the Nicaraguan Government should bear this expense rather than the United States Government. I therefore ask unanimous consent that this go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

N. J. MOOSA, A BRITISH SUBJECT

The next business on the Consent Calendar was the bill (H. R. 12745) authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, let us hurry and pass this bill. This man has already received \$8 as compensation for injury to his property. Now he wants \$15.59. He has already occasioned about \$1,000 expense to the British Government and perhaps \$500 expense to the American Government in insisting on the payment of this paltry amount. Let us give this Scotsman his \$15.59 in a hurry.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject, as full indemnity for the personal injuries received by him as the result of a collision between a broker's trap in which he was riding and a United States Marine Corps truck at Shanghai, China, on September 13, 1928, and for medical and hospital expenses incurred by him in connection with his injuries, the sum of \$15.59.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

NORWEGIAN STEAMER "TAMPEN"

The next business on the Consent Calendar was the bill (H. R. 12746) authorizing an appropriation for payment to the Government of Norway in settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer *Tampen*.

Mr. JENKINS. Mr. Speaker, reserving the right to object, it is my opinion that this is one of the bills that ought to be cut down. The amount of the bill is fixed arbitrarily. It is not an amount that anybody can establish as the actual damage.

If the chairman will agree to cut \$3,765 from this bill, making the amount \$5,000, I shall withdraw my reservation of objection.

Mr. McREYNOLDS. The facts are set forth in the report, and the report is a fair one. However, if the gentleman is going to object unless \$3,000 is cut from the bill I shall agree to it.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Norway in full and final settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer *Tampen* by reason of the detention of the vessel by the United States Coast Guard during June, 1925, the sum of \$8,765.

Mr. JENKINS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENKINS: Page 1, line 10, strike out "\$8,765" and insert in lieu thereof "\$5,000."

Mr. LaGUARDIA. Mr. Speaker, I rise in opposition to the amendment. I wish to ask the distinguished new chairman of the Committee on Foreign Affairs if he has changed the form of these bills. It is my recollection, and I call his attention to the cases, that these payments are sometimes made as an "act of grace" when liability is disclaimed. Is

there any reason why the form is changed this time? I am asking for my own information and guidance on the pending amendment.

Mr. McREYNOLDS. These bills were reported out last session. I was merely chairman of the subcommittee that reported them. They were sent up this way from the State Department.

Mr. LaGUARDIA. The State Department sent them up this way?

Mr. McREYNOLDS. Yes.

Mr. STAFFORD. The gentleman will admit that in the language of the bill granting \$30,000 to the Mexican Government, which the gentleman reported this past week, "as a matter of grace," because of the facts of the case. The National Government is not obligated for the acts of the officials of a State.

In the case before the House the acts complained of are acts of officials and employees of the Government of the United States. It is not as a matter of grace, but it is a matter of direct obligation on the part of the United States.

Mr. LaGUARDIA. That brings up the very question, then: If it is a matter of liability and our liability has been recognized by the State Department, then I submit the amendment offered by the gentleman from Ohio may only cause further negotiations in this very confusing problem. If it is a question of grace, then the gentleman's amendment is all right. If it is a matter of liability and we were in the wrong, and the United States Government, speaking through its State Department, has acknowledged this liability and the damage has been fixed at \$8,765, I submit we are not aiding the case by appropriating \$5,000. Such a change would not be in compliance with the settlement and would not end the claim, which would be back for additional appropriations. I will ask the gentleman from Pennsylvania [Mr. Temple] if I am not right on that?

Mr. Temple. Mr. Speaker, the gentleman from New York [Mr. LaGuardia] has made the speech I wanted to make. I think he is very right. Without repeating what he has said, I simply say I hope the amendment will be defeated.

The SPEAKER pro tempore: The question is on the amendment of the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. Jenkins), there were—yeas 10, noes 18.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LING MAU MAU

The next business on the Consent Calendar was the bill (H. R. 12747) authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Ling Mau Mau, a citizen of China, as full indemnity for the personal injuries received by him as the result of a collision between the junk of Wong Miao Fah and a United States naval vessel on the Whangpoo River, Shanghai, China, on May 20, 1930, and for medical expenses incurred by Ling Mau Mau in connection with his injuries, the sum of \$1,500.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SALVADOR BUITRAGO DIAZ

The next business on the Consent Calendar was the bill (H. R. 12748) authorizing an appropriation for payment to the Government of Nicaragua for the account of Salvador Buitrago Diaz, a citizen of Nicaragua.

Mr. UNDERHILL. Mr. Speaker, I object.

SHANGHAI ELECTRIC CONSTRUCTION CO. (LTD.)

The next business on the Consent Calendar was the bill (H. R. 12749) authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Co. (Ltd.).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Co. (Ltd.), as full indemnity for losses sustained by the said company as the result of a collision between United States Marine Corps truck No. 1130 and tramcar B 168, owned by the company in Shanghai, China, on November 29, 1929, the sum of (the equivalent of \$157.20 Mexican) \$78.60.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BENJAMIN GONZALEZ

The next business on the Consent Calendar was the bill (H. R. 12750) authorizing an appropriation for payment to the Government of Nicaragua for the account of Benjamin Gonzalez, a citizen of Nicaragua.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Nicaragua for the account of Benjamin Gonzalez, of the city of Managua, Nicaragua, as full indemnity for money expended by him because of his being wounded by shooting by Robert C. Lare, a private of the United States Marine Corps, while on police patrol in said city, the sum of \$343.55.

Mr. LaGUARDIA. Mr. Speaker, I move to strike out the last word for the purpose of calling the attention of the House to the case of this unfortunate Nicaraguan, one of the inhabitants of the country where we went down to establish law and order. He was shot in the back by a marine when he was running away.

It seems that one morning the marine reported to the patrol that he was evicted from a cantina. A cantina is a place where they dispense liquor. The patrol then attacked a grocery store, and when this unfortunate Nicaraguan was ordered in the grocery store he started to run away, and when he was running he was shot in the back.

Mr. JENKINS. And they broke down the door trying to get in.

Mr. LaGUARDIA. They broke down the door trying to get in, as the gentleman from Ohio reminds me.

The facts are set forth in the report. This case was reported in the newspapers, and the writer who reported them was criticized and abused all over this country. If Mr. Beale were to make a report of this kind, or had he made it at the time, he would have attracted to himself more criticism and more abuse. At least we are giving the facts now that we have to pay for the damages.

Mr. Speaker, I withdraw the pro forma amendment.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

ENRIQUETA KOCH V. DE JEANNERET

The next business on the Consent Calendar was the bill (H. R. 12751) authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, a citizen of Chile.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the facts in this case are rather exceptional. There is no question but that a dastardly assault was made upon a woman citizen of Chile. If it had not been dastardly and resented by the entire crew of the vessel to which she was attached, I am quite sure the officers and men would not have subscribed the large sum of \$2,000 to reimburse this woman for the humiliation and injuries which she suffered. Having received \$2,000 of voluntary payment back in 1921, immediately after the occurrence, as an amende for the

assault by one of the crew, she applied through her government to the United States Government for a larger sum in reimbursement.

I merely wish to call these facts to the attention of the House. The officers and members of the crew certainly did their part in raising a fund of \$2,000, and I would have thought she would have been satisfied with that rather munificent amount and yet, no, she comes and asks the Government of the United States for an additional allowance. True, she has reduced it from \$25,000 down to \$2,000. Perhaps, if we keep it pending a little longer, she may be willing to take \$1,000 or nothing.

Mr. TAYLOR of Tennessee. What happened to the woman?

Mr. LA GUARDIA. She was attacked, and her collar bone was broken.

Mr. STAFFORD. There was no criminal assault, I am informed.

Mr. LA GUARDIA. It was a brutal attack.

Mr. STAFFORD. I shall not interpose any objection, but I think it comes with rather poor grace after she received \$2,000 as a gratuity payment collected from the officers and crew of this vessel.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. UNDERHILL. Mr. Speaker, if the gentleman will withhold his request a moment, this matter has passed the House on at least one occasion, and because of the lateness of the session it failed in the Senate.

This was a most brutal attack upon a young woman by one of the crew of a United States naval vessel. It is true that the only visible injury she sustained was a broken collar bone and some severe cuts and lacerations, but the shock to her system was considerable. The man was drunk to a degree that he did not know what he was doing. The sympathies of the crew of the vessel were aroused to the extent that they voluntarily subscribed \$2,000 for the relief of this woman.

Then the old mother, who was dependent upon the daughter for support, made a claim, which was very excessive, for \$25,000.

The committee took everything into consideration and reduced the amount to \$2,000, and the House, after debate, accepted it; but the Senate failed to pass the bill, not because it was not right, but on account of lack of time, and it seems that after as long a wait as this the claimant ought to be reimbursed a sufficient amount for her suffering.

Mr. SUMNERS of Texas. Under all the circumstances does not the gentleman from Massachusetts believe that when the injured person has received \$2,000, she ought not to call upon the Government to be reimbursed just because the injury was done by one of this Government's nationals?

Mr. UNDERHILL. Ordinarily, I would agree with the gentleman, but the serious injury that was done to this claimant was to her nervous system. She was laid up for a long time. This does not appear in the record but is a matter of fact. It is really a very flagrant case of the insane act of a drunken sailor on one of our ships.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HENRY BORDAY

The next business on the Consent Calendar was the bill (H. R. 12752) authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France.

Mr. SCHAFER and Mr. PARKS objected.

PUBLIC-BUILDINGS CONTRACTORS

The next business on the Consent Calendar was the bill (H. R. 9921) to require contractors on public-building projects to name their subcontractors, material men, and supply men, and for other purposes.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. It is pretty far-reaching, and I want to study it further.

Mr. EATON of Colorado. Mr. Speaker, on page 12092 of the CONGRESSIONAL RECORD of June 6 last, it is shown that this bill was objected to by Mr. BLANTON, Mr. TABER, and Mr. UNDERHILL. How can it come back on the calendar and be presented again to-day?

Mr. GOSS. The rule provides that these bills may be put on the calendar at the next session.

Mr. STAFFORD. The rule with respect to the objection status applies to only one session.

Mr. EATON of Colorado. Is that the answer of the Speaker?

The SPEAKER pro tempore (Mr. Woodrum). Yes; that is the answer of the Chair.

Mr. COCHRAN of Missouri. Will the gentleman from New York [Mr. LA GUARDIA] state his objections so we may try to iron them out later?

Mr. LA GUARDIA. Certainly. I want to study this bill to see just how the proposed law would affect the cost of construction.

If the general contractor has to put in the subcontractor and material men, he is bound by the offer and the prices submitted at the time.

Mr. GOSS. Not the prices. If the gentleman will refer to page 2, line 1, where it says, "The services the bidder intends to utilize."

I will say that I have drafted this bill on account of the flagrant abuses in my own State on account of bid chiseling and bid peddling. It was gotten up for that reason. All I intend to do by the bill is to require the bidder to name the subcontractor he intends to use on the job when he makes his bid. He can substitute, of course, but it will have a tendency to stop these flagrant abuses of bid chiseling and bid peddling. I will say that many local contractors have gone busted in my State and in many other States. I have had many letters in favor of this bill.

Mr. BACON. Let me ask the gentleman is it not true, because of the bid peddling the subcontractors are attempting to force down the wage scale?

Mr. LA GUARDIA. How can that be done under the terms of the Bacon law? They do not in my city, because when I find it out I make them respond.

Mr. UNDERHILL. Mr. Speaker, if this matter is not going over I shall object.

Mr. GOSS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

CONSTRUCTION OF THE RULES

Mr. LANHAM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LANHAM. One provision of the rules provides that where three objections are made to the second reading of a bill on the Consent Calendar it may be brought up and restored to the calendar at a subsequent session—the next session of Congress. My inquiry is, Does a bill when it is objected to by three Members and comes up at the subsequent session come up de novo, and would one objection suffice?

The SPEAKER pro tempore. It comes up de novo, and one objection stops it.

PAYMENT OF DEATH GRATUITY TO DEPENDENT RELATIVES OF OFFICERS, ENLISTED MEN, ETC.

The next business on the Consent Calendar was the bill (H. R. 6734) to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relatives of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, this takes away from the comptroller the right of review. I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

NAVAL RESERVE AND MARINE CORPS RESERVE

The next business on the Consent Calendar was the bill (H. R. 5329) to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a naval reserve and a marine corps reserve," as amended by the act of March 2, 1929.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NAVAL ORDNANCE PLANT, SOUTH CHARLESTON, W. VA.

The next business on the Consent Calendar was the bill (H. R. 4657) to authorize the disposition of the naval ordnance plant, South Charleston, W. Va., and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER. Mr. Speaker, I object.

ADMINISTRATION OF JUSTICE IN THE NAVY

The next business on the Consent Calendar was the bill (H. R. 5352) to provide for the better administration of justice in the Navy.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. This bill really should have the consideration of the Committee on the Judiciary. It involves the right of the Navy Department to take jurisdiction over a marine who has been in prison for punishment, after his term of enlistment, a questionable practice, indeed. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

STEALING FROM PASSENGERS ON INTERSTATE TRAINS

The next business on the Consent Calendar was the bill (S. 4095) to amend an act entitled "An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception of the same," approved February 13, 1913, as amended (U. S. C., title 18, secs. 409-411), by extending its provisions to provide for the punishment of stealing or otherwise unlawful taking of property from passenger cars, sleeping cars, or dining cars, or from passengers on such cars, while such cars are parts of interstate trains, and authorizing prosecution therefor in any district in which the defendant may have taken or been in possession of the property stolen or otherwise unlawfully taken.

The SPEAKER. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object. What authority has the Government over the subject matter covered in this bill?

Mr. SUMNERS of Texas. Mr. Speaker, the authority sought to be exercised in this bill arises under the interstate commerce clause of the Constitution. This bill is a proposed amendment to existing law covering thefts of commodities moving in interstate commerce.

Mr. COLLINS. Why would not the offense of taking an individual from one State to another for the purpose of murdering that individual be on all fours with the purpose of this particular bill?

Mr. SUMNERS of Texas. I would not like to express an opinion as to how far the courts might go in sustaining

legislative liberalizing enactment under the interstate commerce clause; but I say this to the gentleman from Mississippi, that in so far as this proposed enlargement is concerned, it does not seem to be at all in conflict with the decisions of the Supreme Court sustaining legislative enactments, making it a Federal penalty to steal from a box car or from a railroad any commodity that is in interstate transportation. The purpose of this bill is to make it a Federal offense to steal from an individual passenger who is engaged in interstate travel.

Mr. COLLINS. Mr. Speaker, I am in sympathy with the purpose of the bill, but it seems to me that this is an effort to clothe the Federal Government with power over subject matters over which the Congress has no jurisdiction.

Mr. SUMNERS of Texas. If my friend from Mississippi will examine the bill, I direct his attention to the fact that the new legislation proposed begins on page 3, line 14, and runs to line 1 of page 4, and that the rest of the bill is existing law. There is a later proposed amendment, but it is not necessary to consider that.

Mr. COLLINS. I understand that, but the gentleman still has not answered the question that I have propounded to him. The question in substance is whether or not he believes that under the Constitution of the United States Congress has the power to legislate upon this subject matter.

Mr. SUMNERS of Texas. I answer that question in the affirmative. Personally I have no question at all. There is some language there with regard to taking money by a game or scheme or device, but the language to which the gentleman directs my attention in the main is:

Whoever shall steal or shall unlawfully take by any fraudulent device, scheme, or game, from any passenger car, sleeping car, or dining car, or from any passenger or from the possession of any passenger while on or in such passenger car, sleeping car, or dining car, when such car is a part of a train moving from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia or to a foreign country, or from a foreign country to any State or Territory or the District of Columbia, any money, baggage, goods, or chattels.

I may say to my friend that enactment of Congress making it a penal offense to steal from a transportation company commodities being transported in interstate commerce is fully sustained. I do not suppose that lawyers anywhere question the power of Congress to enact such legislation.

Mr. COLLINS. I am addressing my remarks to the entire bill. I have read the provisions of the bill.

Mr. SUMNERS of Texas. With reference to the entire bill, this particular sort of legislation, this identical law of which this bill is amendatory, has been construed a number of times, and held to be clearly within the legislative power of Congress.

Mr. COLLINS. I think this bill would better be postponed for future consideration.

Mr. SUMNERS of Texas. All right.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CLAIMS OF CHIPPEWA INDIANS

The next business on the Consent Calendar was the bill (H. R. 127) to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims." The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UNDERHILL. Mr. Speaker, I object.

The SPEAKER. This completes the Consent Calendar. All bills that have been on the calendar the required number of days have been called.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a bill of the House of the following title:

On December 14, 1932:

H. R. 5256. An act for the restitution of employees of the post office at Detroit, Mich.

DISTRIBUTION OF GOVERNMENT-OWNED COTTON TO AMERICAN RED CROSS

Mr. JONES. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13607) to authorize the distribution of Government-owned cotton to the American National Red Cross and other organizations for relief of distress.

The Clerk read as follows:

Be it enacted, etc., That the Federal Farm Board is authorized and directed to take such action as may be necessary to make available, at any time prior to May 1, 1934, on application of the American National Red Cross, or any other organization designated by the Red Cross, the remainder (not in excess of 350,000 bales) of the cotton of the Cotton Stabilization Corporation, for use in providing cloth, wearing apparel, and bedding for the needy and distressed people of the United States and Territories. Such cotton shall be delivered upon any such application only upon the approval of the President of the United States and in such amounts as the President may approve.

Sec. 2. No part of the expenses incident to the delivery, receipt, and distribution of such cotton shall be borne by the United States or the Federal Farm Board. In order to carry out the purposes of this act such cotton may be manufactured into, exchanged for, or disposed of and the proceeds used for acquiring, cloth or wearing apparel or other articles of clothing or bedding made of cotton; but such manufacture, exchange, or sale shall be without profit to any mill, organization, or other person.

Sec. 3. In so far as cotton is delivered to relief agencies by the Cotton Stabilization Corporation under this act the Federal Farm Board is authorized to cancel such part of its loans to such corporation as equals the proportionate part of said loans represented by the cotton delivered hereunder, less the current market value of the cotton delivered, and to deduct the amount of such loans canceled from the amount of the revolving fund established by the agricultural marketing act. To carry out the provisions of this act such sums as may be necessary are hereby authorized to be appropriated and made immediately available to the Federal Farm Board to be used solely for the following purposes: For advancing to such corporation amounts to repay loans held by commercial or intermediate credit banks against cotton which would be released for donations under this act and to retire all storage and carrying charges against cotton, including compression charges, at the time of the approval of this act; and for meeting carrying and handling charges and interest payments on commercial or intermediate credit bank loans on or against cotton which would be released for donations under this act between the date of its approval and the delivery of the cotton to the American National Red Cross or other organization.

Sec. 4. The Federal Farm Board shall execute its functions under this act through its usual administrative staff and such additional clerical assistance as may be found necessary without additional appropriations beyond its usual administrative appropriations.

The SPEAKER. Is a second demanded?

Mr. KETCHAM. Mr. Speaker, I demand a second.

Mr. JONES. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. Mr. Speaker, the Members of the House will recall that during the last session we enacted a bill which provided for the distribution of wheat and cotton, including 500,000 bales of cotton. The reports of that use have been so satisfactory and the relief has been so far-reaching that I do not believe there will be any considerable opposition to the enactment of this measure. It provides for the distribution of the remaining portion of the cotton now owned by the Cotton Stabilization Corporation.

The testimony of the officers of the National Red Cross shows that these distributions were handled through 3,489 chapters of that organization, including 12,000 branches, in every State of the Union; that more than 4,000,000 families have been furnished with food and with clothing in that distribution; that the mills have handled it without any profit whatever; that the local committees of the American Red Cross and volunteer committees have handled the making of garments in many instances without any expense at all, so that a very great percentage of the raw materials has been translated into actual forms of relief. Not only has distress been relieved, but employment has been furnished to a great many people. The reports are universal from the cities as well as the country districts and the Territories.

Mr. Speaker, I reserve the balance of my time.

Mr. CELLER. Will the gentleman yield for a question?

Mr. JONES. I yield.

Mr. CELLER. Will the gentleman state whether or not the word "bedding," which is obtained in the new bill, would cover blankets and comfortables that are in such need in the larger cities to keep the poor and the distressed warm?

Mr. JONES. In my judgment, it would cover those commodities if made of cotton.

Mr. Speaker, I reserve the balance of my time.

Mr. KETCHAM. Mr. Speaker, I yield three minutes to the lady from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS. Mr. Speaker, I heartily indorse this bill. I introduced a similar bill myself. I found that the previous cotton relief bill, which was passed last summer, has given an enormous amount of aid to those employed in our mills and relief to the poor. The present bill which is under consideration would make available for distribution approximately 329,000 bales of cotton, or the entire amount which the Stabilization Corporation has on hand. This, I understand, if manufactured into clothing, will give employment to between 18,000 and 20,000 people for three or four months. My information is that only 20 per cent of the requests by the local chapters of the Red Cross have been filled. Early in December requests were approved by the Red Cross for 52,021,557 yards of cotton cloth, and in addition purchases of underwear, hosiery, overalls, trousers, and knickers, which total 1,306,508 dozen. The Red Cross estimates that this cloth and clothing is needed by 4,202,267 families.

Col. John Barton Payne, the president of the Red Cross; Mr. Robert E. Bondy, director disaster relief, and Mr. George Harris, the son of the former very distinguished Senator, William Harris, of Georgia, have performed a wonderfully fine service in carrying out the relief measure. They have tried to give relief to the needy and work to the unemployed in every section of the country. They deserve great credit.

The people of my own district are extremely grateful for the employment given to them. One mill was enabled to employ approximately 400 people for a month and an order was given to another mill which provides work for people who would otherwise be idle and in distress. Many families in my district have also been aided greatly by the flour which the Red Cross also has so efficiently distributed under the relief act of last summer.

I am very desirous that the same sort of thing be done, if possible, in connection with wool. The poor and needy require woolen clothing very much, and I believe it would tremendously help the woolgrowers and the woolen manufacturers and labor in those industries. I only wish that there were more cotton in the hands of the Cotton Stabilization Corporation which might be turned into clothing and bedding for those who are distressed. [Applause.]

Mr. STAFFORD. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. STAFFORD. Is the gentlewoman aware of the fact that there are over 3,000,000 bales in control of the American Cotton Stabilization Corporation?

Mrs. ROGERS. The Stabilization Corporation has only the amount named in this bill at the present time. The Department of Agriculture has some cotton that is held as collateral for seed loans. This takes up the entire amount in the Stabilization Corporation, I am informed by the Federal Farm Board.

Mr. STAFFORD. It is passing strange that the vice president and general manager of the American Cotton Stabilization Corporation testified that of the 1929 crop they have something like 1,300,000 bales and of the 1930-31 crop they have 1,770,000 bales.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. WHITTINGTON. Those figures refer to cotton held by the cooperative associations and not by the Stabilization Corporation.

Mrs. ROGERS. That is the point I wished to make. The Department of Agriculture holds cotton as collateral for the seed loans.

Mr. STAFFORD. The cotton I refer to is not held as collateral for seed loans. I agree that is held by the cooperative association under loans advanced by the Stabilization Corporation.

Mrs. ROGERS. The Department of Agriculture also has cotton as collateral for seed loans. The cooperative associations also held 1,825,202 bales of cotton on July 31, 1932, against which the Farm Board had made loans, according to the third annual report of the Farm Board.

Mr. KETCHAM. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Speaker, the appropriation by Congress of the cotton and wheat has demonstrated, first, the necessity of Federal relief, and, secondly, that Federal relief can be properly administered. The cotton which we heretofore appropriated, 500,000 bales, and the remainder which we are now appropriating, demonstrates that, after all, there might not be a surplus if the people in the country had an opportunity of using and consuming a part of that which they actually need. The cotton heretofore appropriated is now being made, in my city, into garments. Something like \$174,000 has been set aside by the emergency employment relief committee, of which Mr. Harvey Gibson is chairman, to pay unemployed needleworkers making the material into garments. I was instrumental in bringing the workers and the committee together and a very satisfactory arrangement was agreed upon between the Gibson committee, representing the Red Cross, the A. I. C. P. (Association for Improving the Condition of the Poor), and the workers. This cotton is being manufactured into dresses, underwear, children's garments, overalls, and jumpers. It will employ several thousand needleworkers for a period of 8 or 10 weeks. I am very glad the gentleman from Texas [Mr. JONES] is disposing of his surplus cotton and thereby giving the people of the cities as well as all sections of the country an opportunity to get some of the clothes which they will need this winter. I hope that the people of the country will become cotton minded, because the textiles that can now be made out of cotton can take the place of almost any material. We went into that when the application was made for the allocation for New York. We are not making dresses of a uniform pattern or design. If the people of this country would have the purchasing power to buy the clothes that they need, I do not believe there would be so much surplus of cotton in the gentlemen's States.

So I want to take this opportunity to appeal to the House not to destroy purchasing power of the American people by encouraging this nation-wide movement for the reduction of salaries and lowering of the American standard of living. You have the living example and absolute proof right here in disposing of a cotton surplus, a surplus that would be greatly reduced if the people of this country had the clothes they need and the food they require.

Mr. JONES. Mr. Speaker, I yield three minutes to the gentleman from Arkansas [Mr. GLOVER].

Mr. GLOVER. Mr. Speaker, in my opinion there was not a bill passed by the last Congress more important in relieving the need and distress of our country than the bill to give wheat and cotton to the relief of the suffering of our land.

When I saw the administration of that act under the Red Cross, and the many people it relieved, I was very glad, indeed, I could look back and say that I had some humble part in it. I want to say to you that I have not heard a just criticism against this character of relief.

We had the head of the Red Cross, Mr. Payne, before us the other day, and the question was asked him with reference to how much cotton it would take to relieve the present distress. He stated that perchance it might take 2,000,000 bales of cotton to relieve the present necessity.

It is the duty of the Congress of the United States under our Government to see that nobody starves to death or suffers. I do not care so much about the plan that is adopted to reach the situation, but I do not believe a better plan could be established than the administration of this relief through the Red Cross, because it leads us away from the question of a dole; it reaches the spot; it gives the man

in need that which he needs immediately. There is no organization that can reach the needy as quickly as the Red Cross has done and can do under this bill.

This giving of the small amount of cotton now in the hands of the Farm Board, about 329,000 bales, if I remember correctly, will help out a little in the Red Cross relieving the distress that is on us now in this winter. We are right in the midst of the hardest part of the winter.

This bill carries a provision whereby they may have some cotton blankets of some kind or other for comfort. If we could analyze the effect of this bill, and we can not do it fully, in my opinion, it would be found that it has caused the people of these United States to be more obedient to our laws and to have kept us out of possible conditions that would have been embarrassing to this Government. I hope this bill will be passed without a single dissenting vote. [Applause.]

Mr. JONES. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. Celler].

Mr. Celler. Mr. Speaker, I willingly testify to the splendid work that has been done heretofore by the American Red Cross in pursuance of the two bills we passed during the last session to relieve the poor and distressed by distribution of Government-owned wheat and of cotton. This bill now makes an additional distribution of 350,000 bales of cotton available.

Mr. Bondy, director disaster relief of the American Red Cross, makes the following report regarding wheat and cotton distribution to date. It bespeaks an excellent record of achievement.

To December 3, 56,502,221 bushels, of the total of 85,000,000 bushels, of wheat were required to cover the approved applications for flour. This distribution has served 4,458,204 families in 3,491 of our 3,639 chapters; 6,471,460 barrels of flour are represented in those approvals in addition to the 220,069 tons of stock feed distributed last spring. It is anticipated that there is sufficient wheat to carry the flour distribution through the winter.

As of December 8, requests have been approved for 52,021,557 yards of cloth from the cotton and, in addition, purchases of underwear, hosiery, overalls, trousers, and knickers have been made totaling 1,306,508 dozen. An estimated value of the cloth and garments purchased is \$7,441,855.51. This cloth and clothing is needed by 4,202,267 families, as reported by our chapters.

The cloth is forwarded to the chapters for production into garments by volunteer workers and in some communities by unemployed persons engaged in work relief. The ready-made garments are shipped directly from the manufacturers to the Red Cross chapters for distribution through the chapters and local relief organizations.

I am intimately acquainted with some of the relief agencies of New York City. I have been a member and officer of one of the largest family-relief organizations operating in the Borough of Brooklyn—the United Jewish Aid Societies. Our organization might have been in the most embarrassing position of having to close its doors were it not for the aid it received from the emergency unemployment relief committee which, in turn, was greatly helped by the bills that we heretofore passed. Incidentally the Emergency Unemployment Committee of New York is doing a splendid work. It is skillfully guided by Mr. Harvey D. Gibson, a man of splendid vision, whose heart is attuned to the needs of the poor and unemployed. He is ably assisted by Mr. Frank Kidde and other whole-souled gentlemen and ladies.

I call attention to the fact that during this present blizzard, the effects of which are now ineffable suffering in poverty-stricken communities, many families in New York, particularly in my own district, are without not only food and clothing but bedclothing as well. I am happy to note that the chairman of the Committee on Agriculture [Mr. JONES] has seen fit to add to the bill words that would permit some of the cotton to be manufactured into quilts, covers, and blankets. In the previous bill there was a limitation that the cotton could only be used for wearing apparel and for clothes. Now, however, to help assuage the suffering and pain of wintry storms and blizzards, we will have bedcoverings as well as clothes for the halt, the lame, the poor, and the distressed.

Mr. LaGUARDIA. And the unemployed.

Mr. CELLER. And the unemployed, who are in dire need. I shall willingly and gladly indeed vote for this bill, and I hope the other Members will do likewise. [Applause.]

Mr. KETCHAM. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, a point has been brought out in the discussion which interested me very much. That the use of this cotton furnished a good deal of labor and helped to relieve unemployment, and I am wondering if there are any statistics or figures showing to what extent employment was increased in the New England mills in turning this cotton into manufactured goods.

I wish to bring to the attention of the House this situation: We in the New England section would like to have some of this raw cotton transferred from the southern section of the country into the storehouses in New England where the manufacturers can readily, and without payment in advance, get cotton at such times and in such quantities as they may need.

In looking over this situation we find that instead of having 1,300,000 bales of so-called stabilization cotton, only some 329,000 bales are so designated. It seems that the co-operatives have charge of the 1,000,000 bales, and we find it very difficult to get them to part with that cotton for storage in northern warehouses, even though financed entirely by Government money. It would appear that if storage is paid at the rate of \$1.80 per bale per year—it was formerly \$3 per bale—this benefit should be spread evenly throughout the manufacturing centers.

The present situation is extremely disadvantageous to the mills in New England, and I want the House to understand that a determined effort is now being made to have some of that cotton transferred to the North, so that our mills may have their proportion of this stored cotton and have an even chance not only to furnish some of it to the unemployed but to make use of it in the usual course of business.

We are unwilling longer to be shunted off by having the Farm Board say that it is without authority in the matter. We are told that those who have charge of the co-operatives have the entire decision and they do not see fit to send this cotton to the North unless it is shipped under a bill of lading to definite purchasers to be paid for immediately or on an exact date. We want to have some of that cotton stored there so that we can get it readily and pay for it the same as do the mills in other localities, and I am sure you will realize that this is only a fair request on our part.

Mr. KETCHAM. Mr. Speaker, I did not demand a second upon any theory of opposition to the bill, but simply in order that a few features of it might be emphasized.

I want to bring up one additional thought, which I think has not yet been presented, namely, that John Barton Payne, the head of the American Red Cross, reported to our committee that even if this allotment were made, we would not be in position to care for all the needs that had been developed before the officials of the Red Cross. My recollection is that his statement was that the allotment of cotton thus far made had only been sufficient to care for 20 per cent of the need. Consequently, the action to be taken to-day will certainly be very timely in meeting conditions that have been so ably and interestingly described.

I desire to call attention to one other feature of the bill, already referred to by the gentleman from New York [Mr. CELLER] in that the provisions of this particular bill are broader than in the other bills in that bedding is included among the articles for which the cotton may be used and to that extent, of course, the need for material of this sort will be very much enlarged.

I want to add my personal appreciation, which has also been expressed by several members of the committee, for the very able manner in which this allotment of cotton has been administered by the Red Cross. My recollection is there were less than 150 chapters out of the more than 3,600 chapters of the country that did not make requests for this material, which would indicate that its distribution has been very widespread.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. WHITTINGTON. Is it not true that Judge Payne, chairman of the American Red Cross, stated that really 2,000,000 bales of cotton could be used and would be necessary to provide adequate relief?

Mr. KETCHAM. I have forgotten the exact amount, but my recollection is that the 500,000 bales originally provided had only met about 20 per cent of the needs thus far.

Mr. WHITTINGTON. Is it not also true that the 329,000 bales of cotton is all the cotton that is now owned by the Stabilization Corporation?

Mr. KETCHAM. That is correct.

Mr. WHITTINGTON. One further matter. At the time we passed the bill for the distribution of 500,000 bales of cotton, during the closing days of the last session, the Farm Board, through the Stabilization Corporation, then had 1,300,000 bales, but at that time they had made commitments for the sale of some 400,000 or 500,000 bales of the cotton, and my information is that since the passage of the bill providing for the distribution of 500,000 bales by the Red Cross the Stabilization Corporation has made no sales of their cotton and the 329,000 bales in the pending bill is all they have on hand now in the United States. I understand the Stabilization Corporation has some 40,000 bales in warehouses abroad. The cotton co-operatives probably have 1,000,000 or more bales of cotton, but the Farm Board has only a secondary loan on this cotton, as the co-operatives usually borrow approximately 65 per cent of the value of the cotton through regular commercial channels, which is supplemented by the secondary loan of 15 per cent by the Farm Board. This enables the borrowers to obtain advances of 80 per cent. The only financial interest of the Farm Board in the cotton owned by the co-operatives is the 15 per cent advance.

Mr. KETCHAM. That is my understanding.

I have no further requests for time, Mr. Speaker.

Mr. JONES. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Speaker, I am happy to join in supporting this legislation on account of the great good it is doing. I have had some connection with Red Cross work, and I realize that the cotton that has been appropriated has only met a small part of the need, although they are extending great relief.

This also furnishes a great opportunity for work and labor that could not otherwise be had. I hope the bill will pass the House unanimously and will pass the Senate before the Christmas holidays. It will be of great benefit to our people.

If it were not for the relief extended in this way, it would be impossible for the local communities to even alleviate a small amount of the need for clothing which is required to keep the unemployed from cold and a large number of children in school.

In reply to the statement of my colleague, Mr. GIFFORD, from Massachusetts, I wish to say I am sure that it is not the desire of our people in my State that a part of this cotton be withheld from our New England mills and people. This cotton is doing great good in our State, both in relief and by creating work.

Mr. JONES. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

EXTENSION OF REMARKS

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on this subject in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE PHILIPPINE ISLANDS

Mr. HARE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7233) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

Mr. MICHENER. Mr. Speaker, reserving the right to object, has the gentleman conferred with the full membership of the committee in the House where the bill originated?

Mr. HARE. I have conferred with every member of the committee except one member who is absent, and they have all agreed for this request to be made.

Mr. MICHENER. It is agreeable to the committee that the bill go to conference?

Mr. HARE. Yes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. HARE, WILLIAMS of Texas, and KNUTSON.

PAYMENT OF CERTAIN CLAIMS TO THE MEXICAN GOVERNMENT

Mr. McREYNOLDS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13534) authorizing the appropriation of funds for the payment of claims to the Mexican Government under the circumstances hereinafter enumerated.

The Clerk read the bill, as follows:

Be it enacted, etc., That there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 for payment to the Government of Mexico for the account of the family of Emilio Cortez Rubio, and a further sum of \$15,000 for payment to the Government of Mexico for the account of the family of Manuel Gomez, as an act of grace and without reference to the question of legal liability of the United States, for the killing in or near Ardmore, Okla., on June 7, 1931, of Emilio Cortez Rubio and Manuel Gomez by two deputy sheriffs of the State of Oklahoma.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, as you have discovered from the reading of this bill, it is for the purpose of paying to the Republic of Mexico for the death of two Mexican youths who were killed in the State of Oklahoma on June 7, 1931.

In brief, the facts are these: Three Mexican citizens, members of Mexican families of high standing, one of them being a close relative to the then President of the Republic of Mexico, had been attending school in Missouri and Kansas, and at that time were on their way to their homes in Mexico.

They reached Ardmore, Okla., about 11 o'clock at night and stopped there at a stand for the purpose of getting sandwiches and root beer. Two of the Mexicans had alighted, but the third, being sick, stayed in the car.

Two officers came up at that time looking for some one who had committed robberies. They were served with root beer at that place. They were within 10 feet of the Mexican boys, and they concluded that they were not the ones they wanted.

Then they went to a filling station, stopped, and while there the Mexican car passed. A little later they drove on for about a block and found the Mexican boys had stopped in the road for some purpose. The officers came upon them, and one officer reprimanded one of these boys for something which the record does not show. At that time he went over to the car and found one boy sitting in the car with a pistol in his hand, not pointed at him. The officer reached in with his left hand with a pistol in his right hand and disarmed him. The other officer had backed the car up in the rear, and he heard the boys tell the officers that they were Mexican students on their way home. One of the boys

had alighted, and the officer says that he held a pistol in his hand, and without a word he fired and the boy fell to the ground. Then he says the other boy sitting in the car was on the point of pulling a pistol and he shot and killed him.

This outrageous conduct on the part of the officer was practically a cold-blooded murder. I want to say that Governor Murray, of Oklahoma, did everything he could to bring the officers to punishment, but they were acquitted.

Mr. McKEOWN. Will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. McKEOWN. I will say that the people of Oklahoma are of the opinion that Governor Murray did everything he could under the circumstances. But I want to ask the gentleman what is being done about our claims for our citizens who have been killed in Mexico? I have one case of a man by the name of Correll who was killed. The claim has been pending for some time, and I would like to know what has been done with reference to those claims?

Mr. McREYNOLDS. The Mexican Claims Commission had claims under consideration that had arisen up to 1923. Under the treaties between this country and Mexico, all of those claims had to be disposed of before any report was made. The time of that commission has run out, and there is now a treaty between this country and Mexico, which has been approved by the Mexican Government, and when the convention is called this Mexican Claims Commission will be reappointed, and the commission will take up the claims about which the gentleman from Oklahoma speaks.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. McKEOWN. I am in favor of this bill, but I am also in favor of Mexico paying reparations on account of the death of our citizens.

Mr. McREYNOLDS. I am certainly in favor of her making payment for our people.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield to me for a moment?

Mr. McREYNOLDS. Certainly.

Mr. HASTINGS. I do not think the gentleman from Tennessee [Mr. McREYNOLDS] in his enthusiasm is justified in using as strong language as he did when he made the statement that this killing was under circumstances which in effect amounted to cold-blooded murder. I feel certain that on reflection he will eliminate that from the RECORD in this case.

The gentleman has made a very fair statement of the facts as I now remember them. Of course, as he knows, this happened a year ago last summer. I did not know the bill was coming up until I came on the floor. I did not have time to refresh my memory about all the details, but, of course, it was extensively commented upon in the press and we are all more or less familiar with the facts. As the gentleman from Tennessee stated a few moments ago, there had been some bank robberies in that part of the State, and these officers, along about midnight, were on the lookout for suspected people who were reported as coming that way. They came on these Mexican boys. This is a very unfortunate incident. The boys were returning from school, which they had been attending, as I recall, in Kansas and Missouri. However, they were heavily armed. There is much controversy about what was said between the parties. They were regarded by the officers as suspicious characters. One of them had a gun in his hand—I think both had; I think the one sitting in the car and the one out in front both had guns. There is sharp controversy as to what was said. The governor of the State directed that the county attorney be assisted in the prosecution of the defendants. They were tried before an impartial jury, all the facts were developed, and after they were submitted the officers were acquitted. Under the circumstances I do not think I would be justified in permitting the statement that the gentleman made to go unchallenged. I regard it as a very unfortunate incident, as do the people of my State. The governor of my State has done everything that he could under the circumstances, and I think that all the facts and not ex parte

statements ought to be impartially laid before the membership of the House before they come to vote on the bill.

Mr. McREYNOLDS. Mr. Speaker, I shall endeavor to place the facts before you. Perhaps I was too severe in saying cold-blooded murder, but at least I say it was killing without justification. When one of the boys was disarmed by an officer, while sitting in his car, the other officer walked up on the other side and fired the fatal shot that killed him. Had this officer arrested the boy that he had disarmed, there would not have been any death. It was unjustifiable and the people who committed it should have been punished. I say again that the Governor of Oklahoma has used every means to have them punished.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. BANKHEAD. How did the committee arrive at the amount of compensation fixed in this bill?

Mr. McREYNOLDS. Merely from what they thought would be a proper amount under the circumstances, and according to the standing of the people who were killed and at the suggestion of the President and the Secretary of State. One of these boys was a close relative of the President of Mexico. The gentleman knows as a lawyer that amounts in damage suits vary according to the position and standing of the people who are involved.

Mr. BANKHEAD. Was the proposition of punitive or vindictive damages considered in the case?

Mr. McREYNOLDS. No; it was not. We decided it as a matter of grace on account of our close connection with Mexico, with a long boundary line of 2,000 miles, and with troublesome questions to be settled at this time, feeling that this Government should make amends for at least, I might say, the outrage that was perpetrated in one of our States.

Mr. BANKHEAD. Is this settlement made in the absence of any understanding or agreement between the two Governments and just as a matter of grace?

Mr. McREYNOLDS. As a matter of grace.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. SCHAFER. Why should the taxpayers of this country be called upon to pay \$15,000 on account of the death of two Mexican boys who were killed by law-enforcement officers, who were subsequently acquitted, as the gentleman from Oklahoma [Mr. HASTINGS] said, while at the same time we are paying only \$5,000 in a few of the cases for our own American citizens who have been assassinated by Federal prohibition agents?

Mr. McREYNOLDS. I am speaking only about this case; but let me say to the gentleman that I have before me a record where Mexico paid us, in 1915, \$20,000 in gold on account of the death of one of our citizens, and I also have before me another similar case where \$20,000 was paid.

Mr. SCHAFER. Has the gentleman any record of how many she has not paid for?

Mr. McREYNOLDS. These matters are now in controversy, and we hope to have them settled.

Mr. SCHAFER. Why not hold this bill in abeyance until they are settled?

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. DICKSTEIN. Were these Federal officers?

Mr. McREYNOLDS. No.

Mr. DICKSTEIN. Why should the United States pay the damages then?

Mr. McREYNOLDS. There is no way of having Oklahoma pay this.

Mr. DICKSTEIN. She is responsible; it was her officers.

Mr. McREYNOLDS. The gentleman knows under our form of Government there is no way of making Oklahoma pay. Governor Murray tried to get some compensation.

Mr. DICKSTEIN. Upon what theory is the United States Government called upon to pay \$15,000 or \$15,000,000?

Mr. McREYNOLDS. Merely as a matter of grace.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. McCLINTIC of Oklahoma. The gentleman is of opinion that the passage of this bill will settle the claim in such a way that it will produce a better friendship?

Mr. McREYNOLDS. Absolutely; yes, sir.

I reserve the balance of my time, Mr. Speaker.

Mr. STAFFORD. Mr. Speaker, I did not demand a second because I was in opposition to the bill. If there are any Members who wish to speak in opposition to the bill, in fairness, I would not only give them time but yield the floor.

Mr. SCHAFER. I would like five minutes after the gentleman has finished.

Mr. STAFFORD. I yield five minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER. Mr. Speaker, it seems that this House is giving more consideration to the welfare of the nationals of a foreign government than it has been giving to the nationals of our own country. When we go through the records of the various departments and the records of Congress, if you please, we find that where a drunken Federal employee has snuffed out the life of American citizens, perhaps the breadwinner of a family, after many years' consideration by the Committee on Claims, the matter is presented on the floor of the House and there is appropriated to the dependent of the American citizen a maximum of \$5,000. We find when we look at the records that American citizens have been deliberately assassinated by fanatical prohibition agents. For instance, take the case of Virkula, assassinated at International Falls by an agent who shot through the rear of the car over two sleeping children and killed the father and breadwinner of that family. Take the case of Hanson, a high officer of the Elks, who was shot by prohibition agents near Niagara Falls, N. Y., absolutely murdered, as the evidence before the Claims Committee indicated. He lingered between life and death for many weeks, and then this same House of Representatives, after dillydallying along, passed a bill to give the dependents of that innocent American citizen but \$5,000.

Why is there such great urgency to suspend the rules so that we are prohibited from offering amendments to at least make the amount the same as that given in case of the killing of American citizens? Why this haste, particularly in view of the fact that, as the gentleman from Oklahoma has stated, a jury in Oklahoma weighed the evidence and tried the officers and unanimously found them innocent? Why hasten to spend the taxpayers' money in the case of foreign nationals, under suspension of the rules, when the very government to whom they owed their allegiance has not made restitution in the case of many American citizens whose lives were snuffed out in that country? Can it be that those who are pressing for the enactment of this bill want to send word out to the country that we ought to give \$15,000 in the case of the death of a national of a foreign country, although the officers responsible for the death were found innocent by a jury of their peers, and at the same time, when American citizens are assassinated by American law-enforcement agents, when the lives of American citizens are snuffed out by employees of the Post Office Department and other departments of our Government the dependents are to only receive \$5,000, and then only by unanimous consent?

Under all these circumstances this House should not suspend the rules and allow the dependents of foreign nationals to receive three times as much from the taxpayers of this country as the dependents of an American citizen. I sincerely hope there are sufficient Members on the floor of this House to defeat the suspension of the rules. The gentleman could then bring up the case later on, when we will have an opportunity to amend and when there will be liberal opportunity for debate and to present all of the facts.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Speaker, the prime question for the consideration of this body is the maintenance of the

friendly relations existing between this Government and the Republic of Mexico. Never before in recent history have those relations been of such cordial character as at the present moment, largely due to the exceptional services of that brilliant diplomat, former ambassador to Mexico and Senator from New Jersey, the late Hon. Dwight Morrow.

If we were dealing with a question of compensation to one of our own nationals, the question might well be raised that we should adhere to the \$5,000 appropriation; but something more is at stake than merely the question of reimbursing for the death of these two unfortunate Mexicans, who were in this country as a matter of right, who were doing the institutions of this country a high service by attending its collegiate institutions, and who were returning after the close of the session to their native country.

Time was, and not so far distant, when our National Government would fail to recognize the obligation that it naturally had in reimbursing a foreign government, as a matter of grace, for disturbances arising out of riot and insurrection, and the like. In my schoolboy days I recall an incident of a riot in New Orleans, La., as I recall, where some agitator by the name of Dickinson incited a mob that caused the killing of some nationals of Italy. Secretary of State Blaine took the position that this Government was in no way responsible. Later there came up a case in Omaha where there were similar insurrections, during the administration of the governor of that State, our honored Member, Mr. SHALLENBERGER, when the same question arose.

From an examination of the record in this case there is no question but what these officers of Oklahoma were directly responsible for this unmitigated murder of the two unfortunate Mexicans, if we can believe the statement of the Secretary of State.

The feelings of Mexicans were aroused. They did not understand the nice relationships existing as to the responsibility of the National Government and State governments for the maintenance of order. The reading of the letter of the Secretary of State will bring anyone to the conclusion that the deputy sheriffs took the lives of these Mexicans without warrant. Now, what are we to do in such a case toward a government with which we are maintaining friendly relations? Are we going to refuse to recognize that condition of affairs where our Government, as a national government, having jurisdiction over these foreign affairs, should properly reimburse the nationals of other governments for disorders arising in the individual States?

The question is not whether the American Government is responsible in any way for the protection of the life and liberty of the nationals of other governments while domiciled here; the question is whether the cordial relations existing between our Government and the Mexican Government should be maintained.

Perhaps \$10,000 would have been adequate, but in a matter of this character I am not going to criticize that figure when the recommendation of the Secretary of State is that \$15,000 would be adequate compensation, because I, for one, do not wish to strain the cordial relations now existing between the American Government and the Mexican Government. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield four minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, I think the gentleman from Wisconsin usually wants to be fair. I agree with him in some things. He is usually careful in his statements, but is inaccurate and not fair in the one just made. He fills the RECORD with extravagant criticisms simply and solely after having read the statement of the Secretary of State in presenting this claim to Congress. The Members of the House do not have all the facts.

I have not opposed this bill because I thought it would promote the good relations between our Government and that of Mexico.

I think it was an unfortunate circumstance, but I will not permit anyone on the floor of the House to make the statement and let it go unchallenged that this was a cold-blooded murder. These boys were leaving from Kansas and Mis-

souri, respectively, traveling by motor at a very late hour at night, something like 11 or 12 o'clock. They were heavily armed. The one sitting in the back seat and the one standing in front of the car each had a pistol in his hand. These officers were on the lookout for robbers. They had been advised of robberies that had occurred in that vicinity. They had no ill feeling, no malice against these boys, but they were out there to apprehend suspected criminals. The officers halted them. The gentleman from Wisconsin has only recited in his speech some of the statements made by the Secretary of State, and, of course, is not at all familiar with all the testimony of the witnesses detailed upon the trial of these two officers.

These two officers were prosecuted. They had a fair trial. The governor of our State, I believe, directed a special prosecuting attorney to assist in the prosecution of these two men.

Mr. Speaker, under these circumstances, when these two officers were there to apprehend criminals, when they met these boys there along about midnight, when the boys were heavily armed, when these officers testified they had shown the boys their badges and told them who they were, when there was a fair trial by a jury, I say no man is justified in standing upon the floor of this House and saying the trial was not a fair one.

I repeat that it was unfortunate. These officers under the circumstances had a right to and did believe these boys were dangerous men. They warned them they were officers. The boys, not understanding, perhaps, that they were officers, resisted. In these circumstances two were killed. The officers were tried by a jury of 12 men, who heard all the evidence and acquitted them. No one is justified in condemning them. They had no malice against either. They acted in the belief they were robbers. Everyone regrets the occurrence. They had a right to act upon circumstances as appeared to them at the time. Each of the two killed had a pistol in his hand. It turned out they were students, but the officers believed them robbers and acted upon that belief. If they acted upon an honest belief the jury was justified in acquitting them. These officers may have been mistaken; they were not murderers.

Mr. McREYNOLDS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, there is the friendliest of feeling now existing between officials of Mexico and the officials of our country. Especially is this so between the nationals of the two Republics.

It was not against the law for these two young Mexican college students, while traveling through several States, to carry arms. The law of Oklahoma permits one to carry arms when traveling even from one country to another. You are permitted to carry arms in defense of yourself when you are traveling through the State of Texas, and these young men on their way home would have traveled through the State of Texas 900 miles had they not been killed in Oklahoma. It is the law that one thus may carry arms to defend his person from attack. They were within their rights. They were not violating any law, national or State.

If such a thing had happened in Mexico to any of our young college students of Texas, Oklahoma, or Missouri, I do not know what we would not be doing now to get redress. We would not leave a stone unturned.

I think it is only fair and right and just that this bill should be passed.

I had occasion this summer to check up in old Mexico some items of fraud, and I needed the help of some Mexican officials. I never found anyone more courteous, more obliging, or more anxious to help than the officials of old Mexico. You will find them so everywhere over that Republic. Every year many Americans visit Monterey, Mexico City, and other places in old Mexico. Many cross the river at Laredo, and they find the most courteous officials in the world to assist them in getting proper credentials, in having their money changed both when they are entering and leaving Mexico, and in getting travel information. They are courteous from the time you go into the Republic until you leave it, and I

want to see this condition prevail. I want a greater degree of friendliness to exist between the people of the United States and the people of Mexico. They deserve it. They have not had a fair chance. I am heartily in favor of this bill.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. COCHRAN of Missouri. Does not the gentleman think it would be fair and that the House is entitled to know what evidence was brought out at this trial, which resulted in the acquittal of the two men? Now, there is something being hidden here. Nobody has brought out the facts in reference to the acquittal of the men.

Mr. BLANTON. I am not condemning the great State of Oklahoma.

Mr. COCHRAN of Missouri. Neither am I; but I would like to know all the facts. We are only getting one side of the story. If it is simply a case of appropriating money, regardless of who was responsible, we should know it.

Mr. BLANTON. I am not condemning the great State of Oklahoma because some slick, shrewd, criminal lawyers can get culprits out of the clutches of the law. The condemnation should be upon the attorneys who looked after that case. I want to say that if any college student of the United States from Missouri or from Oklahoma had been traveling through Mexico under similar circumstances and had been murdered you would have found this Congress demanding redress from that Republic, and I think it is only fair, meet, and just that this Congress should pass this bill, which comes here from the committee unanimously.

[Here the gavel fell.]

Mr. GARBER. Mr. Speaker, Members of the House, the bill under consideration authorizes an appropriation of \$15,000 for payment to the Government of Mexico for the account of the family of Emilio Cortez Rubio and a further sum of \$15,000 for payment to the Government of Mexico for the account of the family of Manuel Gomez, the payments to be authorized and made as an act of grace without reference to the question of legal liability of the United States for the killing of the deceased Emilio Cortez Rubio and Manuel Gomez by two deputy sheriffs of the State of Oklahoma, near Ardmore, on June 7, 1931.

I rise simply to reply to the charges made in the discussion, namely, that such deceased persons were murdered in cold blood and that restitution should be made for such criminal acts.

William E. Guess and Cecil Crosby, deputy sheriffs, of Carter County, Okla., immediately preceding the tragedy had been searching for persons guilty of a recent robbery. Emilio Cortez Rubio and Gomez were on their return to Mexico from attending schools in Kansas and Missouri and stopped at Ardmore for refreshments. When accosted by the deputy sheriffs they told them that they were students, returning from their schools to their homes in Mexico, and in the course of the conversation Crosby observed that Rubio, who was seated nearest to him in the car, held an automatic revolver in his hand. Guess stated that Gomez held a revolver in his hand, which was pointed at him, and in self-defense he shot Gomez and then Emilio Cortez Rubio, who was in the act of drawing a revolver from his pocket.

Within due course the two officers, Guess and Crosby, were put on trial in the State courts of Oklahoma. Special counsel appointed by the governor assisted in the prosecution, resulting in unanimous verdicts of acquittal, which should be sufficient answer to the charges made promiscuously upon this floor that the deceased were murdered in cold blood. There was no evidence anywhere to show premeditation or motive other than that of self-defense. The most that can be said is that the officers acted hastily in reaching the conclusion that the boys were other than students, which they represented themselves to be, and were bandits.

It must be conceded that the possession of firearms with their hurried display in position ready to shoot gave color

to the contention of the officers that they believed that they were bandits and support the unanimous verdicts of the jury in each case wherein a new trial was overruled. There was no mistrial in either case.

The bill has not a legal leg to stand upon. There is no legal liability whatever upon the part of the United States. Under similar circumstances, foreign countries have been allowing \$5,000 as damages for American nationals, only \$1,500 in the case of China, and in various amounts not exceeding \$5,000 in the average case. In this case, however, we are requested under the suspension of the rules, which simply gags the House and denies the privilege of amendment, to appropriate \$15,000 in each case where there is no dependent widow nor minor children. In Mexican money, this is equivalent to \$30,000 in each case.

We believe that suitable recognition and reparation should be made to the parents of the deceased in a reasonable amount, because of the carelessness and recklessness of the officers who believed at the time that they were justified in their self-defense in the discharge of their duty; that an allowance of \$5,000 in each case would be sufficient and equivalent to the amounts that are allowed by other countries under such circumstances for the death of an American national.

At a time when our Treasury is not only empty but has a deficit of a billion and a quarter, with an equal amount of deficit for the ensuing year, we can not afford to fail to scrutinize even appropriations for such purposes. To appropriate means to tax and to add to the existing taxes already so burdensome to our own citizens, with their inability to pay, is questionable. But it is so easy for the mass to vote in cases like this where the individual, if compelled to pay out of his own money, would reduce the amounts to within reasonable limitations.

[Here the gavel fell.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. HOOPER].

Mr. HOOPER. Mr. Speaker, I do not ordinarily take part in any discussion where I have not made a thorough study of the question, but on this occasion, from what I have heard and read of this occurrence, I want to state that I most cordially agree with what was said by the able gentleman from Texas [Mr. BLANTON].

This may not be murder, this may not be manslaughter, but I have been wondering, as I have been listening to the discussion, just what would have happened down in Texas before a jury if this had been the son of President Hoover or the son of President-elect Roosevelt, who had gone down there as a student under similar circumstances and had been shot down, as it seems to me, in cold blood, as these young men were. I think that an American jury or an Oklahoma jury would have convicted.

Our relations with Mexico are delicate enough and if I had my way here to-day I would vote for much more than \$15,000 in each case if it would assuage the anguish that has come to the parents of these young men or do a single thing to better our relations with Mexico. We call it in here "an act of grace." It may be an act of grace, but no act of grace and no amount of money that is paid will lessen the sorrow of the fathers and mothers of these young men, done to death, cruelly and foully, as it seems to me, from the statement made by the distinguished gentleman from Tennessee.

I am glad to vote for this bill and yield back the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Arkansas [Mr. FULLER].

Mr. FULLER. Mr. Speaker, the gentleman from Oklahoma has said this is a reflection upon Oklahoma.

After over 30 years of legal experience, based upon reports of the killing of these two Mexicans, I am satisfied there was no justification for this killing. It was an outrage. It is a national scandal. It was so looked upon by those familiar with it all over the country, but Oklahoma's good citizenship was not responsible for it and this is no reflection upon the people of that State. Their governor

did all within his power to see that these men were brought to justice. There was a case where two boys who would have been the real witnesses were dead, and the other witness who was in the car did not see much of it. The officers who did the killing related the story to justify their wicked acts. This was a case where two men who were officers of the law, with the influence and power that such officers have in a community where they live, were put upon trial, at home among their friends and men who have had experience in the prosecution and defense of criminals, know how hard it is, anywhere in the United States, to convict men who have the enforcement of the law in their hands.

For years and years, during the history of all nations, it has been the common custom where a citizen is killed unjustly in a foreign country, that nation should compensate his relatives for his death, and in this case we are getting off light. Not only that, but here is a case where one of the boys was the support of a widowed mother, and \$15,000 for the life of the boy of this old mother who was sending him to a college in the United States, for which country she had such great respect, is certainly not too great an amount, and \$15,000 for the life of a relative of the President of that nation is a mighty small sum, much smaller than any lawyer would think he should recover if he were suing for compensation by way of damages in this country.

This is not a reflection upon Oklahoma, but this is a debt that this Congress owes to the people of the country and to the relatives of these boys and there should not be any hesitancy in paying every dollar that the committee has recommended. We must keep up good and friendly relations with foreign countries and protect their law-abiding citizens while in America. Should we fail in such a case as this, what could we expect from Mexico when our citizens were mistreated or murdered? We make other nations pay for damages suffered and lives taken of American citizens. Certainly we can not fail to do our duty, especially in a case of such merit.

Mr. McREYNOLDS. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker, this was a deplorable affair. One of these officers in the past had trouble for the reckless manner in which he shot citizens.

The governor of the State immediately employed special counsel to prosecute this case. In the State of Oklahoma they were confronted with the provision of law that where an officer attempts to arrest a party, if any resistance is made, the presumption is in the officer's favor, that he was not the aggressor, and therefore he no doubt had the benefit of that presumption in this particular case.

The boys were traveling through Oklahoma in the nighttime, and as we all know numerous holdups occur, and perhaps these boys thought that they were accosted by some persons who had evil intentions.

They were foreigners, and perhaps they did not speak our language as fluently or grasp it as quickly as we do. Local influence and lack of eye witnesses is probably the reason there was an acquittal by this jury. Yet this is a case where the Government of the United States ought as a matter of grace to make compensation.

[Here the gavel fell.]

The SPEAKER. All time has expired. The question is on the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KNUTSON, for one week, on account of illness;

To Mrs. WINGO (at the request of Mr. DRIVER), indefinitely, on account of illness of son; and

To Mr. AYRES (at the request of Mr. HOPE), for Monday and Tuesday, on account of illness.

WAR DEBTS (H. DOC. NO. 511)

The SPEAKER laid before the House the following message from the President of the United States, which was

read, and, with accompanying documents, referred to the Committee on Ways and Means and ordered printed.

(For message see Senate proceedings of to-day.)

ADJOURNMENT

Mr. RAINEY. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 20, 1932, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

822. A letter from the Secretary of War, transmitting a draft of a bill to provide for the protection of national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials under control of the War Department; to the Committee on Military Affairs.

823. A letter from the Secretary of the Navy, transmitting a list of cases of relief granted under the naval act approved July 11, 1919; to the Committee on Expenditures in the Executive Departments.

824. A letter from the Comptroller General, transmitting a report and recommendation, pursuant to the act of April 10, 1928 (45 Stat. 413), to the Congress concerning the claim of the Booth Fisheries Co. against the United States with request that you lay the same before the House of Representatives; to the Committee on Claims.

825. A letter from the Secretary of War, transmitting a report dated December 19, 1932, from the Chief of Engineers, pursuant to the river and harbor act of July 3, 1930, on preliminary examination and survey of Ashtabula Harbor, Ohio, together with accompanying papers and illustrations; to the Committee on Rivers and Harbors.

826. A communication from the President of the United States, transmitting a letter for the consideration of Congress supplemental and deficiency estimates of appropriations for the Department of Justice for the fiscal year 1933, and prior years, amounting to \$239,723.11, and draft of a proposed provision pertaining to existing appropriations (H. Doc. No. 512); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HILL of Washington: A bill (H. R. 13790) to provide revenue, to provide employment for American labor, and to encourage the industries and agriculture of the United States by compensating for depreciation in foreign currencies; to the Committee on Ways and Means.

By Mr. McSWAIN (by request): A bill (H. R. 13791) to provide for the erection of a monument in the Crown Hill Cemetery, Indianapolis, Ind., to the memory of Confederate soldiers removed from the Greenlawn Cemetery; to the Committee on Military Affairs.

By Mr. McDUFFIE: A bill (H. R. 13792) to amend the act approved February 25, 1927, entitled "An act granting the consent of Congress to Dauphin Island Railway & Harbor Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island"; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKS: A bill (H. R. 13793) to amend sections 314 and 315 of the Code of Laws of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. LUDLOW: A bill (H. R. 13794) to restore the 2-cent postage rate on first-class mail; to the Committee on Ways and Means.

By Mr. PARKS: Joint resolution (H. J. Res. 515) authorizing the Federal Farm Loan Bureau to refinance farm loans; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 13795) granting a pension to Mary Shepard; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 13796) granting an increase of pension to Laura McWilliams; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 13797) for the relief of Fred C. Wasserman; to the Committee on Military Affairs.

By Mr. LAMBERTSON: A bill (H. R. 13798) granting a pension to Edith Rhodes Gallion; to the Committee on Pensions.

By Mr. LOVETTE: A bill (H. R. 13799) granting a pension to Jackson McCoury; to the Committee on Pensions.

Also, a bill (H. R. 13800) granting a pension to Minnie Wilson; to the Committee on Pensions.

Also, a bill (H. R. 13801) granting a pension to Mary C. Adams; to the Committee on Pensions.

Also, a bill (H. R. 13802) granting a pension to Minnie Roberts; to the Committee on Pensions.

By Mr. McKEOWN: A bill (H. R. 13803) for the relief of George F. Boatright; to the Committee on Military Affairs.

By Mr. McSWAIN: A bill (H. R. 13804) for the relief of William Marion Wilcox; to the Committee on Naval Affairs.

By Mr. MILLIGAN: A bill (H. R. 13805) granting a pension to Mary E. Brewer; to the Committee on Invalid Pensions.

By Mr. STOKES: A bill (H. R. 13806) for the relief of John F. McDonough; to the Committee on Military Affairs.

Also, a bill (H. R. 13807) for the relief of Pete Ernest Simon; to the Committee on Naval Affairs.

By Mr. TARVER: A bill (H. R. 13808) granting a pension to Sidney C. Scoggins; to the Committee on Pensions.

By Mr. WILLIAMS of Missouri: A bill (H. R. 13809) for the relief of Lyman James Alexander; to the Committee on Naval Affairs.

By Mr. KOPP: Resolution (H. Res. 328) to pay to Harry Blaine Myers, husband of Marjorie Gay Myers, late an employee of the House, an amount equal to six months' compensation of the said Marjorie Gay Myers; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9073. By Mr. ANDREW of Massachusetts: Petition of Amelia S. Silva and other residents of Gloucester, Mass., favoring passage of so-called stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9074. By Mr. BACHARACH: Petition of sundry citizens of the second congressional district of New Jersey, favoring the Sparks-Capper amendment to stop alien representation; to the Committee on the Judiciary.

9075. Also, petition of sundry citizens of the second congressional district of New Jersey, protesting the passage of legislation legalizing alcoholic liquors stronger than one-half of 1 per cent; to the Committee on Ways and Means.

9076. By Mr. BACON: Petition of sundry residents of Riverhead, N. Y., urging the elimination of the count of aliens for apportionment purposes; to the Committee on the Judiciary.

9077. Also, petition of sundry residents of Port Jefferson, Stony Brook, and Setauket, N. Y., urging the elimination of the count of aliens for apportionment purposes; to the Committee on the Judiciary.

9078. By Mr. FISH: Petition of 2,930 citizens of Orange, Dutchess, and Putnam Counties, N. Y., opposing legislative acts that would legalize alcoholic liquors stronger than one-half of 1 per cent; to the Committee on Ways and Means.

9079. By Mr. FOSS: Petition of Rev. Ira J. Roberts, pastor of the Methodist Episcopal Church, and the Ladies Aid Society of the Methodist Episcopal Church, Southbridge, Mass., supporting stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9080. Also, petition of Marguerite C. Callahan and 52 other residents of Paxton, Mass., urging the passage of the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9081. By Mr. HOOPER: Petition of residents of Battle Creek, Mich., favoring the maintenance of the eighteenth amendment to the Federal Constitution of the United States; to the Committee on the Judiciary.

9082. By Mr. KELLY of Pennsylvania: Petition of citizens of Unity, Pa., protesting against branch banking; to the Committee on Banking and Currency.

9083. Also, petition of citizens of Tarentum, Pa., protesting against changes in the eighteenth amendment; to the Committee on the Judiciary.

9084. Also, petition of citizens of Brackenridge, Pa., favoring the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9085. By Mr. KERR: Petition of peanut growers of Bertie, Northampton, Washington, and Halifax Counties, N. C.; to the Committee on Banking and Currency.

9086. By Mr. KOPP: Petition of E. S. Hehner and many other citizens of Crawfordsville, Iowa, urging the adoption of the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9087. By Mr. LAMBERTSON: Petition of K. Klinger and other citizens of Hanover, Kans., urging the passage of the stop-alien representation amendment to the United States Constitution, and for the counting of only American citizens when making future apportionments for the congressional districts; to the Committee on the Judiciary.

9088. By Mr. LINDSAY: Petition of the Merchants Association of New York, on behalf of the retail merchants of New York City, favoring House bill 324; to the Committee on the Judiciary.

9089. Also, petition of National Council of Business Mail Users, New York City, opposing 3-cent letter rate; to the Committee on the Post Office and Post Roads.

9090. Also, petition of Cullen Transportation Co., agents, New York City, opposing House bill 12656; to the Committee on Merchant Marine, Radio, and Fisheries.

9091. By Mr. MURPHY: Petition of 67 citizens of Deersville, Ohio, urging the passage of the stop-alien representation amendment to the United States Constitution to cut out the 6,280,000 aliens in this country and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9092. By Mr. RICH: Petition from citizens of Williamsport, Pa., favoring the so-called stop-alien representation amendment to the Constitution, also petition from citizens of Ulysses, Pa., favoring the passage of such legislation; to the Committee on the Judiciary.

9093. By Mr. ROBINSON: Petition signed by James Reed, of Gifford, Iowa, and other railway employees, urging the passage of the Hatfield-Keller bill, H. R. 9891; to the Committee on Interstate and Foreign Commerce.

9094. Also, petition of Rev. T. M. Nielsen, D. D., pastor of the Methodist Episcopal Church of Belle Plaine, Iowa, and adopted at a meeting of the official board of this church, and signed by the president of the board, F. H. Henry, and the secretary, Mrs. A. R. Nichols, urging the passage of the stop-alien representation legislation; to the Committee on the Judiciary.

9095. By Mr. STRONG of Pennsylvania: Petition of the Ministerial Association of Indiana County and citizens of Indiana and Marion Center, State of Pennsylvania, favoring the proposed amendment to the Constitution of the United States to exclude aliens in the count for the apportionment of Representatives in Congress among the several States; to the Committee on the Judiciary.

9096. By Mr. THOMASON: Petition of the military committee of the Marfa (Tex.) Chamber of Commerce, urging that the War Department furnish transportation for soldier dependents at Fort D. A. Russell, account order of abandonment this post by department, for the reason these dependents, if left at Marfa, will become public charges; to the Committee on Military Affairs.

9097. Also, petition of County Loan Committee of Coke County, Tex., asking crop-production loans for 1933; to the Committee on Agriculture.

9098. Also, petition of business men of Bronte, Tex., asking crop-production loans for 1933; to the Committee on Agriculture.

9099. Also, petition of business men of Robert Lee, Tex., asking that seed loans be made by the Federal Government in 1933; to the Committee on Agriculture.

9100. By Mr. WATSON: Petition of residents of Allentown, Pa., requesting that only Americans shall be counted for future apportionments for congressional districts; to the Committee on the Judiciary.

9101. By Mr. WHITTINGTON: Petition of taxpayers of Yazoo, Mississippi Delta, Miss., favoring Federal loans to farm and home owners for taxes for two years; to the Committee on Banking and Currency.

9102. Also, petition of members of the Methodist, Baptist, and Presbyterian churches of Lone Star community, Covington County, Miss., protesting against the repeal of the eighteenth amendment and modification of the Volstead Act; to the Committee on the Judiciary.

9103. Also, petition of Mrs. S. M. Blanchard, protesting against the repeal of the eighteenth amendment and modification of the Volstead Act; to the Committee on the Judiciary.

9104. By Mr. WYANT: Petition of George A. Jones, box 75, R. F. D. No. 1, Ligonier, Pa., urging that joint-stock land banks receive same Federal relief that is accorded to Federal land banks; to the Committee on Banking and Currency.

9105. Also, petition of J. L. Armitage, New Kensington, Pa., urging stop-alien representation amendment to the United States Constitution to cut out millions of aliens in our country and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9106. Also, petition of Amos A. J. Myers Post, No. 28, Veterans of Foreign Wars, of Jeannette, Pa., protesting against organizations such as National Economy Committee and other groups, members of which are receiving special Government grants ranging from \$5,000 to \$12,000 annually, and urging that war veterans be not made victims of the selfish aims instigated by these special-privilege classes; to the Committee on World War Veterans' Legislation.

9107. Also, petition of Jacob F. Shuster, box 158, R. F. D. No. 1, Jeannette, Pa., urging that joint-stock land banks receive same Federal relief that is accorded to Federal land banks; to the Committee on Banking and Currency.

9108. Also, petition of Michael and Anne Inski, R. F. D. No. 1, Irwin, urging that joint-stock land banks receive same Federal relief that is accorded to Federal land banks; to the Committee on Banking and Currency.

9109. By the SPEAKER: Petition of J. E. Stough, chairman Government Printing Office Legislative Committee; to the Committee on Printing.

SENATE

TUESDAY, DECEMBER 20, 1932

(Legislative day of Thursday, December 8, 1932)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4624. An act to amend the Judicial Code by adding a new section, to be numbered 274D;

H. R. 10271. An act to authorize the Secretary of Agriculture to adjust claims to so-called Olmstead lands in the State of North Carolina;

H. R. 11270. An act to amend section 2 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes";

H. R. 12740. An act authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens;

H. R. 12741. An act authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens;

H. R. 12743. An act authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada;

H. R. 12745. An act authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject;

H. R. 12746. An act authorizing an appropriation for payment to the Government of Norway in settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer *Tampen*;

H. R. 12747. An act authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China;

H. R. 12749. An act authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Co. (Ltd.);

H. R. 12750. An act authorizing an appropriation for payment to the Government of Nicaragua for the account of Benjamin Gonzalez, a citizen of Nicaragua;

H. R. 13534. An act authorizing the appropriation of funds for the payment of claims to the Mexican Government under the circumstances hereinafter enumerated; and

H. R. 13607. An act to authorize the distribution of Government-owned cotton to the American National Red Cross and other organizations for relief of distress.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Costigan	Hull	Robinson, Ark.
Austin	Couzens	Johnson	Robinson, Ind.
Bailey	Cutting	Kean	Schall
Bankhead	Dale	Kendrick	Schuyler
Barbour	Davis	King	Sheppard
Barkley	Dickinson	La Follette	Shipstead
Bingham	Dill	Lewis	Shortridge
Black	Fess	Logan	Smith
Blaine	Frazier	McGill	Smoot
Borah	George	McKellar	Steiwer
Broussard	Glass	McNary	Swanson
Bulkley	Goldsborough	Metcalf	Thomas, Idaho
Bulow	Gore	Moses	Thomas, Okla.
Byrnes	Grammer	Neely	Townsend
Capper	Hale	Norbeck	Trammell
Caraway	Harrison	Norris	Vandenberg
Carey	Hastings	Nye	Wagner
Cohen	Hawes	Oddie	Walsh, Mass.
Connally	Hayden	Patterson	Walsh, Mont.
Coolidge	Hebert	Reed	Watson
Copeland	Howell	Reynolds	White

Mr. HARRISON. I desire to announce that my colleague the junior Senator from Mississippi [Mr. STEPHENS] is detained by reason of illness.

Mr. TRAMMELL. I wish to announce that my colleague the senior Senator from Florida [Mr. FLETCHER] is detained by illness.

Mr. LA FOLLETTE. I wish to announce that the Senator from Iowa [Mr. BROOKHART] is necessarily absent by reason of illness.

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is absent on account of illness.

Mr. SHEPPARD. I desire to announce the necessary absence from the Senate of the senior Senator from Maryland [Mr. TYDINGS] and the junior Senator from Louisiana [Mr. LONG].